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ABSTRACT

A Congressional hearing was held to discuss the readiness of the District of Columbia public schools for the 1998-99 school year. In the 1997-98 school year, the District's public schools had not been able to open on time because of repair work that was not completed. After opening remarks by Congress members Thomas M. Davis and Constance Morella, Constance Newman, Vice Chairman of the District of Columbia Financial Responsibility and Management Assistance Authority, spoke about the efforts underway to improve the D.C. public schools. Arlene Ackerman, Superintendent of Schools for the District of Columbia, assured the Subcommittee that the schools would be opening on time and that improvements to facilities and to instruction were ongoing. Colonel Bruce Berwick of the Army Corps of Engineers, responsible for engineering technical assistance to the school system, emphasized that all schools would be able to open in safe conditions by September 1, 1998, even though all capital projects would not be completed. Arthur Turowski, Director of Portfolio Management for the Public Buildings Service of the National Capital Region of the General Services Administration, reviewed the role of that agency in the facilities repair and improvement process. Additional statements were made by these witnesses: (1) Maudine Cooper, Chairman of the school system's Emergency Transition Board; (2) Wilma Harvey, President of the elected School Board; and (3) Carlotta C. Joyner, of the U.S. General Accounting Office. Constance Newman and Arlene Ackerman summarized issues facing the D.C. schools and touched on areas related to academic achievement and the situation of charter schools. The prepared statements of each witness follow their testimony. (SLD)

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STATUS OF THE DISTRICT OF COLUMBIA PUBLIC SCHOOLS READINESS FOR THE 1998–1999 SCHOOL YEAR

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STATUS OF THE DISTRICT OF COLUMBIA PUBLIC SCHOOLS READINESS FOR THE 1998–1999 SCHOOL YEAR

HEARING

BEFORE THE

SUBCOMMITTEE ON THE
DISTRICT OF COLUMBIA

OF THE

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT HOUSE OF REPRESENTATIVES

ONE HUNDRED FIFTH CONGRESS

SECOND SESSION

AUGUST 26, 1998

Serial No. 105–188

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STATUS OF THE DISTRICT OF COLUMBIA PUBLIC SCHOOLS READINESS FOR THE 1998–1999 SCHOOL YEAR

WEDNESDAY, AUGUST 26, 1998

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA,
COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT,
Washington, DC.

The subcommittee met, pursuant to notice, at 12 noon, in room 2154, Rayburn House Office Building, Hon. Thomas M. Davis (chairman of the subcommittee) presiding.

Present: Representatives Davis and Morella.

Staff present: Peter Sirh, staff director; Trey Hardin and Anne Mack, professional staff members; Ellen Brown, clerk; and Jon Bouker, minority professional staff member.

Mr. DAVIS. Good morning and welcome. This subcommittee continues to be very active in addressing the ongoing challenges facing the District of Columbia. This subcommittee is especially interested in the ability of the D.C. public school system to facilitate aggressive approaches to improving academic achievement and instituting management and information system reforms.

Let me say up front; it is very important to me and this subcommittee that we ensure that schools open on time this year in the District and that the important needs of District students are adequately being met. The priority here must be the children, and the common goal we must focus on is providing the best possible educational environment for them.

In addition, we are here today to address the development and implementation of the short-term and long-term plans for the repair, maintenance, and improvement of the District of Columbia public school facilities. All of this serves the goal of recapturing public confidence in the D.C. public schools.

In January of this year, the subcommittee conducted an oversight hearing which addressed in detail the 1997 District of Columbia public schools repair program and facilities master plan. That hearing was very productive in providing factual information about the extent of the facilities challenge which confronted the public school system and the impact of the crisis which resulted. Providing school facilities which are safe, efficient, and free from fire code violations is a fundamental element of maintaining an environment where students can learn and succeed.

In March of this year, the subcommittee conducted an oversight hearing which examined procedures for establishing DCPS enroll-

ment eligibility and the processes utilized to determine student enrollment counts. Much was learned from that hearing as well, and a number of procedural reforms were being pursued, and have subsequently been implemented, which tighten the requirements for enrollment eligibility and residency verification. Additionally, improvements have been implemented to establish procedures necessary to produce a reliable and credible student enrollment count, which is a critical component to future funding allocations.

Today we intend to examine the status of many various elements of preparation for the upcoming school year, and we are anxious to receive affirmation from Mrs. Ackerman and others that the District of Columbia public schools will open as scheduled on September 1. We anticipate receiving testimony that will update the subcommittee on the status of roof repairs, boiler and window repairs or replacements, and other ongoing capital improvements within the District of Columbia public school facilities. We are interested in knowing about the successes or the failures of collaborative efforts between the DCPS, U.S. Corps of Engineers, and the U.S. General Services Administration to achieve effective and timely facility repairs within forecasted budget parameters, and that will allow schools to open on time and operate safely and efficiently throughout the school year.

Additionally, the subcommittee remains extremely interested in the status of the D.C. public schools academic plan and the progress which is being made in addressing the deficiencies which have existed for too long in providing effective special education programs which achieve Federal requirements and provide sufficient accountability. Further, the subcommittee looks forward to receiving an update on the status of the teacher certification, as well as other staffing and personnel issues. We are also very interested in receiving information about the exciting Summer STARS summer school program and any other initiatives which have been instituted.

As we pursue reform efforts, it is also necessary to examine the public school infrastructure itself, and accordingly the subcommittee is interested in the current status of replacing information management systems and the upgrading of technology throughout the public school system. In order to achieve the desired result and improvements, it is important to maximize opportunities to access resources. Therefore, the subcommittee is most interested in the current status of applications for eligible Federal grants that can be applied to the public school system, as well as the overall grant administration/management within the public schools.

Last, the involvement of parents, community leaders, businesses, civic organizations, and the students themselves is critical in the development and implementation of the plans for the future of the District of Columbia public schools. The subcommittee is interested in receiving information about processes established by the public school leadership to ensure that all stakeholders have a voice and a role in securing that future for the students of the D.C. public schools.

While much positive progress has been achieved, and I do wish to pause to both acknowledge and congratulate the leadership for

aggressively pursuing efforts to effect change and long-needed reforms, I must also temper those comments with a recognition that I hope everyone here today will acknowledge that there is much still to do as we seek to return the public schools to a status as one of the finest public school systems in America.

This is a critical element in the ongoing revitalization efforts and future stability for the District of Columbia. We have achieved measurable results in terms of crime reduction, financial management, and helping the tax base in this city that are measurable. On the education level, we have not seen the measurable results as of yet, although I know there is a lot of implementation that is going on that I hope will lead to that over the long term.

I want to strongly acknowledge the efforts and continuing leadership of my distinguished colleague, Eleanor Holmes Norton, as she advocates on the behalf of the young people of the District of Columbia, recognizing that a quality education is the key to that future. And I want to thank all of those who will be participating as witnesses, and look forward with great anticipation to your testimony.

[The prepared statement of Hon. Thomas M. Davis follows:]

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SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA

THOMAS M. DAVIS, CHAIRMAN

OPENING STATEMENT OF CHAIRMAN TOM DAVIS

Hearing on the Status of the District of Columbia Public Schools Readiness for the 1998-1999 School Year

August 26, 1998 Hearing
12:00 p.m.
2154 Rayburn House Office Building

Good afternoon and welcome. This Subcommittee continues to be very active in addressing the ongoing challenges facing the District of Columbia. This Subcommittee is especially interested in the ability of the D.C. Public School system to facilitate aggressive approaches to improving academic achievement and instituting management and information system reforms. In addition, we are here today to address the development and implementation of short term and long term plans for the repair, maintenance, and improvement of DCPS facilities. All of this serves the goal of recapturing public confidence in the D.C. Public Schools.

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Additionally, the Subcommittee remains extremely interested in the status of the DCPS Academic Plan and the progress which is being made in addressing the deficiencies which have existed for too long in providing effective special education programs which achieve Federal requirements and provide sufficient accountability. Further, the Subcommittee looks forward to receiving an update on the status of DCPS teacher certification as well as other staffing and personnel issues. We are also very interested in receiving information about the exciting Summer STARS summer school program and any other initiatives which have been instituted.

As we pursue reform efforts, it is also necessary to examine the DCPS infrastructure itself, and accordingly, the Subcommittee is interested in the current status of replacing information management systems and upgrading technology throughout DCPS. In order to achieve the desired results and improvements, it is critical to maximize opportunities to access resources. Therefore, the Subcommittee is most interested in the current status of applications for eligible Federal grants that can be applied to DCPS, as well as the overall grant administration/management within the District of Columbia Public Schools.

Lastly, the involvement of parents, community leaders, businesses, civic organizations and the students themselves is critical in the development and implementation of plans for the future of the D. C. Public Schools. The Subcommittee is interested in receiving information about processes established by DCPS leadership to insure that all stakeholders have a voice and a role in securing that future for the students of the D. C. Public Schools.

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I also want to strongly acknowledge the efforts and continuing leadership of my dist ıguished colleague, Eleanor Holmes Norton, as she advocates on behalf of the futures of the youn people of the District, recognizing that a quality education is the key to that future.

I thank all of those who will be participating as witnesses and look forward with great antici ıation to your testimony.

Mr. DAVIS. I regret, because of the scheduling, that Mrs. Norton could not be here today. She has her staff taking notes so if they have any questions they will be supplemented for the record.

I want to yield to the vice chairperson of this committee, Connie Morella, for any opening comments.

Mrs. MORELLA. Thank you. I appreciate your holding this timely hearing.

Throughout the Nation this is election year and polls are being taken, and the No. 1 issue throughout the Nation is education. And right here in the Nation's Capital that indeed is the case. Here in the District of Columbia, as in every corner of America, students are preparing to go back to school. However, for the past 4 years, the schools in the District have opened late.

Last year the delayed opening was due to an infrastructure emergency. The facilities in the District of Columbia public school system were literally crumbling. Routine maintenance on school buildings had evidently been neglected for years. There was an abundance of fire code violations. Boilers didn't work, roofs leaked.

The District of Columbia public schools are broken. Buildings are only one component of a large system that needs fixing. Academic performance is well below the norm on standardized tests, dropout rates are exceptionally high, and many teachers are uncertified. Since 1991, test scores have shown a decline in reading and math scores of D.C. students, particularly for students in the poorer sections of the city.

The scores also seem to suggest that the longer students stay in D.C. public schools, the less likely they are to succeed on an educational level. Thousands of D.C. students are leaving school without the fundamental skills needed to find a job and to function as productive members of their communities. Between 1989 and 1995, 40 percent of high school students dropped out of school. In 1995, 53 percent of those who had entered D.C. high schools at the 9th grade level remained to graduate 4 years later. That means that hundreds of the poorest performing students are not even in the student population being tested.

Only a short time ago we were not sure how many school children were in the District of Columbia or how many employees worked in the system. I remember we asked those questions repeatedly. Personnel records were incomplete, inadequate, and out of date. The 1990 Federal census estimated that 72,800 students attended D.C. schools. The DCPS Management Information System, the MIS system, had almost 81,000 records. Compared to the five neighboring counties, the discrepancies for the D.C. public school system was eight times as large. This is inexcusable. An accurate head count of the students in the system is necessary to assess staffing, facilities, supplies, and textbook needs.

School is scheduled to start on September 1, less than a week from today, and hopefully school will start on time. I believe it will. To the credit of school officials, new residency requirements are in effect. All parents are required to provide documents such as income tax statements and driver's licenses as proof of residency.

I have been very impressed by the articles that I have read about D.C.'s new superintendent of schools, and I am so delighted that she is here to be on both panels. So welcome, Mrs. Ackerman. In

the few short months that she has been superintendent, Arlene Ackerman has taken charge of the school system. She has cleaned up the personnel system, revamped the alternative education department, and initiated the largest ever summer school program, but it is going to take a long time to turn this beleaguered school system around.

I wholeheartedly believe that most issues that affect our Nation's public schools are local matters, and that most decisions are best made at the local level. I don't want to tell any local school panel what they can or cannot do. I, in fact, am a former teacher, and I am very concerned about the educational system in the District and interested in learning the status of the District of Columbia public schools' readiness for the coming year and how we in Congress can, in fact, help.

So, again I appreciate your efforts to hold this important hearing, Mr. Chairman, and I indeed look forward to hearing from our expert witnesses today.

Mr. DAVIS. Thank you. I also have an opening statement from Ms. Norton that I will submit for the record, if there is no objection. Her statement expresses her ongoing and continued concern about the public school systems.

[The prepared statement of Hon. Eleanor Holmes Norton follows:]

ELEANOR HOLMES NORTON
DISTRICT OF COLUMBIA

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STATEMENT OF CONGRESSWOMAN ELEANOR HOLMES NORTON
D.C. SUBCOMMITTEE HEARING ON THE STATUS OF DISTRICT OF COLUMBIA PUBLIC SCHOOLS' READINESS FOR THE 1998-99 SCHOOL YEAR

August 26, 1998

I regret that this hearing on the D.C. public schools is being held at a time when I cannot attend because I am out of town. However, my office has been monitoring the D.C. public schools, especially during the last few months. Last Monday, I spoke at a leadership meeting of the public school system. Later in the week, teachers, principals and parents who attended were addressed by General Colin Powell. Schools, of course, must be judged not by the success of such meetings but by their success in meeting measurable criteria. Superintendent Arlene Ackerman deserves our support for her initial successes as she begins the long road toward a complete revitalization of the D.C. public schools.

While the summer school program needs to be fully evaluated, it has been judged a success by most observers. We saw what could not have been predicted a year earlier – students anxious to come to school to learn hard core basics such as improving reading ability. Many students apparently came to keep up or to get ahead – an unheard of use of summer classes in this and most jurisdictions. Even before summer school, significant improvement in standardized tests had already been noted. I cite these early successes not because they have turned around the school system, but because signs of early success in improved agency performance in this city have been all too rare.

However, nothing short of taking the school system apart and building it back together again into a new institution is likely to bring lasting and significant change. The issues begin with the ABCs of school administration such as assuring that only children who live in the District attend its public schools. This issue has been of special interest to me because it can mean millions of dollars to the school system through the collection of tuition or redirection of funds only to D.C. residents. I am pleased that progress is being made on this issue.

Because school has not yet opened, today's hearing can tell us little except what officials intend to do. The chief criticism of the public school system has not been the failure to draw plans but the failure to execute plans. All that matters is whether the schools are in fact rebuilt physically and educationally. At a future hearing, officials will be in a position to tell the Subcommittee whether only the children of D.C. residents are enrolled in our schools; whether schools are following a uniform education plan and how that plan is being monitored; whether

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(202) 783-6211 (FAX)

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(202) 225-3002 (FAX)
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repairs of buildings have been completed for this year and specifics of plans for continued renovation; whether the 1998 deficit has been eliminated and what controls are in place to prevent future shortfalls; whether specific progress on special education reform has been made; and whether federal grants are being applied for and being spent on core education rather than administration and personnel expenses. This set of issues does not begin to exhaust the many challenges facing Mrs. Ackerman and her team.

Superintendent Ackerman has assured me that schools will open on time on September 1st. This, I hope, is last year's problem, and I certainly hope that by now schools have begun to focus on the boatload of other problems that confront the system as well. The number and complexity of such problems are awesome. Early results warrant optimism and need encouragement and support. This is essentially the job of the Board of Trustees, the Board of Education, the control board and the City Council. These entities and others, including the Congress when federal issues are involved, the General Services Administration, and the Army Corps of Engineers, must also provide oversight and technical assistance. However, we must all find a way to synchronize and consolidate our oversight of this local school system so that there are not repeated editorial and local complaints about too many masters and too many cooks. I look forward to hearings at a later point in the school year when the evidence on many of the most pressing issues will begin to roll in.

Mr. DAVIS. I would like to call our first panel forward to testify. Mrs. Arlene Ackerman, the superintendent and CEO of the DCPS; Col. Bruce Berwick, commander of the Baltimore District of the U.S. Army Corps of Engineers; Mr. Arthur Turowski, the Director of the Office of Portfolio Management of the National Capital Region of GSA; and Mrs. Constance Newman, the vice chairman of the D.C. Control Board.

It is the policy that all witnesses be sworn, so if you would rise with me and raise your right hands.

[Witnesses sworn.]

Mr. DAVIS. I ask unanimous consent that any written statements be made part of the permanent record. In addition, I would ask the witnesses to summarize their remarks and to observe the 5-minute rule. The orange light will go on at the end of 4 minutes. If you really need an extra minute, we will try to grant it. We have the testimony in the record. We have read most of it, and we have a series of questions that we have preprepared. It gives you an opportunity to concentrate and highlight some of the important aspects that you might want to make.

We will begin with Mrs. Newman, followed by Mrs. Ackerman, Colonel Berwick, and Mr. Turowski.

Connie, thanks again for agreeing to serve on the Control Board for another term. We are very happy to see that.

Mrs. MORELLA. I echo that belief also, Mr. Chairman.

STATEMENTS OF CONSTANCE NEWMAN, VICE CHAIRMAN, DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY; ARLENE ACKERMAN, SUPERINTENDENT AND CHIEF EXECUTIVE OFFICER, DISTRICT OF COLUMBIA PUBLIC SCHOOLS; COL. BRUCE A. BERWICK, COMMANDER AND DISTRICT ENGINEER, BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS; AND ARTHUR TUROWSKI, DIRECTOR, PORTFOLIO MANAGEMENT FOR PUBLIC BUILDINGS SERVICE, NATIONAL CAPITAL REGION, GENERAL SERVICES ADMINISTRATION

Mrs. NEWMAN. Thank you. What I will do is go right to the section on the facilities for this panel, and then I will give the longer statement for the next panel. I think there is more logic to that.

I do, though, want to say that I appreciate on behalf of the Authority, the opportunity to represent the Authority at this hearing on the progress and pace of education and management reform at the D.C. public schools. We are anxious, really, to share with you reasons for optimism based on our belief that there are real efforts underway at the D.C. public schools to represent a sound foundation for a sustained improvement in public education in the District of Columbia.

I want to headline one section of the statement, and it is one that I have a very strong belief of, and that is, the schools will open on time. This, I think, is so important for the principals because they and the teachers care about the students and the parents, and I think that we all can substantiate the conclusions that we will come to here today, that the schools will open on time. They will be cleaner. They will be safer. Yes, the public school system has spent over $70 million in capital funds this year.

What is extremely important to understand is that there has been a real coordination and partnership with the U.S. Corps of Engineers and the General Services Administration. Roofs, chillers and other repairs will have been completed at the time of the school opening. I say to you that I am convinced that the schools will open on time not just because I have been reading reports, because often that is not sufficient, but I sat in on the regular meetings of the Corps of Engineers with the school system and the GSA. I heard the tough questions going back and forth, and was convinced that there was nothing being covered over with regard to the ability of the school system to open on time.

But I went beyond that and visited the schools in several categories: those where the work had been completed; those where they indicated that there was still some work to be done and asked questions about how long the people on the ground thought it would take. And I would say to you that based on the time that I have actually spent with the school system and the Corps of Engineers and GSA and actually going to the schools, I think I can safely say that you need not worry about the schools opening on time this year.

[The prepared statement of Mrs. Newman follows:]

Mr. Chairman and Members of the Subcommittee:

I am Constance Newman, a Member of the District of Columbia Financial Responsibility and Management Assistance Authority ("Authority"). I appreciate the opportunity to represent the Authority at this hearing on the progress and pace of education and management reform in the D.C. Public Schools. We are anxious to share with you reasons for optimism based on our belief that the efforts underway at the D.C. Public Schools represent a sound foundation for sustained improvement in public education in the District of Columbia.

Overview

The Authority has in the past and continues to view public education as one of the most critical public service issues for this community. Therefore, we continue to devote considerable time and attention to providing oversight over the D.C. Public Schools. Our oversight efforts have focused on ensuring that the necessary academic and management expertise and experience is present, and that the necessary management and educational practices and systems are employed to support the attainment of educational outcomes.

In our November 1996 Report, "Children In Crisis: A Report on the Failure of the D.C. Public Schools," the Authority concluded that the deplorable record of the District's public schools, in every important educational and management area, had left the system in crisis. Against every indicator of educational performance--test scores, graduation rates, attendance rates, or the number of fire code violations,

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the system was failing to provide the District's children with quality education and a safe environment in which to learn. On November 15, 1996, in response to this crisis, the Authority through Resolution and Orders, took total and direct responsibility for the public school system in order to fundamentally improve the public schools.

Now almost two years later, by all accounts and objective measures, the public schools are addressing the problems identified in our "Crisis Report." Under the strong leadership of Mrs. Arlene Ackerman, Superintendent/Chief Executive Officer and building on the efforts of the previous Superintendent/CEO, Lieutenant General Julius W. Becton, Jr., systems of educational accountability are being established. Moreover, major changes are being made in the structure and management of the public schools. An essential ingredient of every successful reform effort is the presence of a reform minded team committed to change. We are encouraged that Mrs. Ackerman has pulled together a team of committed professionals. She is engaging the community as full partners, and is making the necessary tough, and often painful, decisions necessary to improve the learning environment. The Authority is pleased with and fully supports the direction of these efforts and is fully committed to the aggressive reform agenda she has established.

Academic Improvement and Accountability

We are pleased to report that increased academic standards are being instituted and student achievement is improving. To improve educational readiness, the administration has ended the practice of passing students on from grade to grade regardless of their performance, so called "social promotion." The results of the nationally recognized Stanford 9 tests, which were administered in the beginning of the school year, were disappointing at all educational levels. In response, Mrs. Ackerman instituted an intervention strategy which included concentrated instruction in problem schools. As result of these efforts, the spring Stanford 9 test results improved at every grade level. Another effort which has just been concluded was the summer school STARS program, where 24,000 students attended in order to meet promotional requirements. These measures represent a promising foundation, however, a great deal more is required. What is required to be done will take time, resources, and full community support to accomplish.

The D.C. Public Schools has developed an educational strategic plan which identifies the critical actions and time frames for addressing student achievement, staff development, and implementing systems of accountability. Complementing this effort, Mrs. Ackerman is conducting an examination of the instructional program, administrative operations, and other operational issues which support the education reform strategy. We all recognize that further improvements are necessary. The Authority is fully supporting Mrs. Ackerman in her efforts to make the necessary improvements.

D.C. Public Schools will open on time

Mr. Chairman, we are pleased to report that the D.C. Public Schools will open on time. Students, parents, principals, and teachers will return to schools that are cleaner and safer. By the end of the current fiscal year, the public schools will have spent almost $70 million in capital funds. With the assistance of the U.S. Army Corps of Engineers and the U.S. General Services Administration, numerous roofs, chillers, and other repairs will have been completed by the time schools open. The public schools have disposed of surplus facilities for sale in accordance with the Authority-approved surplus property disposition plan. After years of inaction, success in selling these properties will generate more than $12 million in revenues to defray infrastructure improvements. In addition to capital improvements, the U.S. Corp of Engineers is assisting in improving the maintenance program of the schools and is providing an understanding of the requirements for the development of a Long-Range Facilities Master Plan, which could guide the school's capital improvement strategy.

Number of students in the Public Schools

At this point, I wish to note that, perhaps for the first time, the D.C. Public Schools know how many students are in its schools and programs. As required by the "District of Columbia School Reform Act of 1995," the Authority hired an independent auditor to audit the schools' count of 77,100 students for the 1997-1998 academic year. The independent auditor has verified the number. While we have

made progress, we are still concerned with the issue of non-residents attending D.C. Public Schools. The Authority, at the urging of the Emergency Transition Education Board of Trustees, approved the establishment of more stringent requirements for documenting residency. Beginning in the fall, parents will be required to provide tax, employment, and other documentation to verify residency. As a result of the new requirements and more anticipated aggressive enforcement efforts, the number of non-residents attending D.C. Public Schools will decrease. The Authority will continue to monitor the impact of the policy change and enforcement efforts.

D.C. Public Schools are living within Budgeted Resources

As a result of efforts by the Authority and the school's leadership, the D.C. Public Schools has closed a projected gap in the current fiscal year budget. The schools will end the fiscal year with a balanced budget. The budgetary measures used to address the budget gap included a major reduction in force, expenditure freezes, and reductions in overtime. The Authority has reviewed the proposed FY1999 operating plan, and will monitor it to ensure implementation. As part of the development of the FY 1999 operating budget, the schools have developed individual school-based budgets. These budgets will be used as an important tool in promoting schools-based management and improving individual school accountability and expenditure control.

Other Issues

Mr. Chairman, I wish to mention two issues which the Authority will devote considerable attention to in the coming monhths, Special Education and Charter Schools.

Special Education

The crisis in the special education system continues to demand considerable attention. Nearly 7,700 students are already in special education, and the number is expected to grow to 11,000 in the coming school year. As we have previously reported, this growth is having tremendous implications for the future cost of education and the pace of educational reform. In FY 1998, $102 million from all sources will be spent for these operations, an increase of 9 percent over the previous year. In FY 1999, $125 million is budgeted. Mrs. Ackerman has devoted significant resources in reducing the backlog of special education assessment. The increase of the referral and assessment period from 50 to 120 days will have an appreciative impact on the number of private placements, which is a significant cost. All in all, managing special education represents a challenge for the D. C. Public School system. One of the highest priorities of the Authority will be to work with Mrs. Ackerman to determine the most cost-effective approaches to special education, while continuing to meet the educational needs of the students.

Charter Schools

Charter schools present an opportunity for providing innovative approaches to public education. While we recognize the opportunities, the Authority is concerned about the administrative impact of charter schools on the delivery of public education in the District of Columbia. Unlike most other communities which have gradually increased the number of charter schools, the number of charter schools will grow rapidly in the District of Columbia, from 2 last year to 19 in the coming school year. As you can imagine, the issue of principal and teacher recruitment, facilities planning, and funding are posing difficult questions for the delivery of quality public education in the District.

Conclusion

In conclusion, Mr. Chairman, the Authority is pleased with progress in the District schools. The efforts to "Make Children First" are starting to pay off. But we are realistic that this promising start is just that -- a start. We have much, much more to do to bring about a quality education for all public school children. Superintendent Ackerman and her team of committed educators and managers have begun to tackle education and management problems confronting the public schools. We can see the evidence of change. Sustained reform will require the cooperation and participation of the entire community. We are committed to working with all parties to ensure that the District of Columbia continues to build a model public school system.

Thank you for the opportunity to present testimony at this very important hearing on public education in the District of Columbia.

Mr. DAVIS. Thank you.

Mrs. Ackerman.

Mrs. ACKERMAN. Thank you for giving me the opportunity to provide you with a report on the status of our preparations for the opening of school on September 1. I understand that the topic of this first panel is the school district's capital improvement program, and so I will contain my remarks at this time to that subject. I will be brief, in part because I intend to ask Col. Bruce Berwick from the U.S. Army Corps of Engineers to provide you with a detailed report on the 1998 summer capital program. In addition, I would like to focus my comments mainly, and the attention of all of the District's public schools stakeholders, on what is happening under the roofs this year.

Since we settled the Parents United suit last fall, we have implemented a capital improvements program which will address the system's remaining infrastructure needs in a manner that is efficient, is cost effective, and most importantly, does not disrupt the education of our children. The Army Corps of Engineers has been a key partner in this effort. In addition, the General Services Administration has continued to work with us, taking the lead on a number of the summer's roof projects. Finally, I want to acknowledge the important role that the members and staff of the Financial Authority and the city's chief procurement officer have played in implementing this year's capital program.

As I mentioned, Colonel Berwick will provide the subcommittee with a comprehensive assessment of the capital effort that is currently underway, including a discussion of those projects which were completed prior to the beginning of the summer STARS program; those projects that are at or near completion now, primarily roof repairs and replacements; and the projects that will continue on into the fall, which will include boiler and window replacements and a range of other capital projects.

While I am going to leave the details to Colonel Berwick, I can report to you now that school will open on time September 1. And I want to repeat that because I get asked that question almost on a daily basis. School will open on time on September 1.

Further, I want to assure you and those of the District of Columbia public schools, parents, our students and teachers who may be watching, that any capital work that continues into the fall will be managed in such a way that it does not disrupt the education of children. I have been very clear about this with both my facilities staff and our partners in the corps, and I am confident that they understand that my focus is on the classroom and that is where they must be focused as well.

I would like to mention one other item before I close. As you know, at the direction of Congress, the District of Columbia public schools did develop last year a long range facilities master plan. This plan is a living document which continues to be modified in accordance with the changing needs and priorities of our school system. The Corps of Engineers is working with us now to update this plan.

However, I want to make clear that this plan is one which will be driven by the academic mission of this organization and guided by input from the public. To ensure that this is the case, I have

asked Mr. Mark Robertson, assistant superintendent for school auxiliary support services, to spearhead an effort to seek public input into the plan through a series of community meetings which will include parents, community members and students later this fall. I know that the decisions we make with regard to our school facilities can have major implications, not only for our students but also for our neighbors, and I am committed to ensuring that they are involved in this planning process.

With that, I would like to conclude my remarks. I look forward to providing you with a more detailed report on the progress on the academic front.

[The prepared statement of Mrs. Ackerman follows:]

DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Superintendent
415 12th Street, N.W., Suite 1209
Washington, D.C. 20004-1994
202-724-4222, fax: 202-727-1516
www.k12.dc.us

STATEMENT OF ARLENE ACKERMAN
SUPERINTENDENT
DISTRICT OF COLUMBIA PUBLIC SCHOOLS
BEFORE THE SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA
COMMITTEE ON GOVERNMENT REFORM
US HOUSE OF REPRESENTATIVES
AUGUST 26, 1998 -- PANEL ONE

Good afternoon Mr. Chairman, and Members of the Subcommittee. I am Arlene Ackerman, Superintendent of the District of Columbia Public Schools (DCPS). Thank you for giving me the opportunity to provide the Subcommittee with a report on the status of our preparations for the opening of school on September 1.

I understand that the topic of this first panel is the school district's capital improvement program and so I will contain my remarks at this time to that subject. I will be brief, in part because I intend to ask Col. Bruce Berwick from the U.S. Army Corps of Engineers to provide you with a detailed report on the 1998 summer capital program. In addition, quite frankly, I would like to focus my attention, and the attention of all of the District's public school stakeholders, on what's happening under the roofs of our schools.

As you know, when General Becton was appointed CEO and Superintendent of the District's public schools in November 1996, the system was facing a school infrastructure crisis. After years of deferred maintenance, mismanagement and neglect in the school's capital program, the city had been sued by an advocacy group, called Parents United, over its failure to abate fire code violations in the schools. An emergency infrastructure stabilization effort was undertaken by General Becton, under the watchful eye of the court. Last fall, after the city demonstrated a clear commitment to addressing the school system's capital needs in a timely fashion, the suit was settled.

Since then, we have implemented a program of capital improvements that will address the system's remaining infrastructure needs in a manner that is efficient, is cost effective, and, most importantly, does not disrupt the education of children. The Army Corps of Engineers has been a key partner in this effort. In addition, the General Services Administration has continued to work with us, taking the lead on a number of this summer's roof projects. Finally, I want to acknowledge the important role that the members and staff of the Financial Authority and the city's Chief Procurement Officer have played in implementing this year's capital program.

As I mentioned, Col. Berwick will provide the Subcommittee with a comprehensive assessment of the capital effort that is currently underway, including a discussion of those projects which were completed prior to the beginning of the Summer STARS program, those projects that are at or near completion now (primarily roof repairs and replacements), and the projects that will continue on into the fall (which include boiler and window replacements and a range of other capital projects). While I am going to leave the details to Col. Berwick, I can report to you now that school will open on time on September 1. Let me repeat: school will open on time on September 1.

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Col. Berwick, I can report to you now that school will open on time on September 1. Let me repeat: school will open on time on September 1.

Further, I want to assure you, and those DCPS parents, students, and teachers who may be watching, that any capital work that continues into the fall will be managed so that it does not disrupt the education of children. I have been very clear about this with both my facilities staff and our partners in the Corps, and I am confident that they understand that my focus is on the classroom and that is where they must be focused as well.

I would like to mention one other item before I close. As you know, at the direction of Congress, DCPS developed a Long-Range Facilities Master Plan last spring. This plan is a "living document," which continues to be modified in accordance with the changing needs and priorities of the school system. The Corps of Engineers is working with us to update this plan. However, I want to make clear that this plan is one that will be driven by the academic mission of this organization and guided by input from the public. To ensure that this is the case, I have asked Mr. Mark Robertson, Assistant Superintendent for School Auxiliary Support Services, to spearhead an effort to seek public input into the plan through a series of meetings with parents, students, and community members this fall. I know that the decisions we make with regard to our school facilities can have major implications not only for our students but also for our neighbors and I am committed to ensuring that they are involved in this planning process.

With that, I will conclude my remarks. I look forward to providing you with a more detailed report on DCPS' progress on the academic front during the next panel.

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Mr. DAVIS. Colonel Berwick.

Colonel BERWICK. Mr. Chairman, Mrs. Morella, I am Col. Bruce Berwick, the commander of the Baltimore District, U.S. Army Corps of Engineers. I am here today at your request to testify on the District of Columbia public schools capital improvement program. I will discuss our role in assisting D.C. public schools in executing this program. Then I will give an overview of the fiscal year 1998 projects and update you on the readiness of the schools under repair to open September 1. I will close by describing our current strategy to address future capital improvement needs.

On April 17 of this year, we signed a memorandum of agreement with the D.C. public schools. We have signed five support agreements under that memorandum totaling technical assistance estimated at $3,090,000. Each support agreement is for engineering, technical and procurement assistance for capital contracts to be executed this fiscal year.

We successfully completed four projects to support the opening of summer school on June 29. Replacement of 33 roofs and 4 chiller cooling towers is now underway. The General Services Administration and the District of Columbia public schools are working together to perform the work on eight of those roofs. Using District of Columbia public schools contracting authority, the Corps of Engineers are replacing the remaining 25. All work will be completed to the extent necessary to enable schools to open safely on September 1, but some projects begun this summer will carry on into the school year.

At schools undergoing capital projects, we are doing everything to ensure that they can open safely and on time. While work will continue during the academic year, we are coordinating with the principals so that work will have minimal impact on schools' academic operations.

We are assessing all active schools to help determine the capital improvement requirements. To date, we are about halfway through this effort. We will use the information from the assessments and from the fiscal year 1999 budget to develop a draft fiscal year 1999 project list with recommended priorities.

Besides facilities assessments, as Mrs. Ackerman stated, we are working with the District of Columbia public schools on long-range facilities planning. We will address needs from fiscal year 2000 through fiscal year 2009 in a revised long-range facilities plan. We are cooperating with District of Columbia public schools to schedule community meetings in September to invite the public to participate in shaping the facilities plan.

One limitation under the memorandum of agreement is that we do not have the authority to issue contracts on behalf of the District of Columbia public schools. A provision in the House and Senate District of Columbia fiscal year 1999 appropriation bills will enable us to contract on behalf of DCPS and will improve our partnership.

The legislation will allow us to use existing contracts and our established procurement practice. It will streamline contract administration and construction management. It will result in a more efficient use of resources and more timely support to the children,

teachers, and administrators of the District of Columbia public schools.

I believe the partnership begun between DCPS and us is strong and effective. I wish to express our appreciation to Mrs. Ackerman and her staff for this opportunity to work with them. We are looking for ways to provide even more support to DCPS, especially in the area of operations and maintenance.

Historically, school infrastructure in the United States has been a tough issue for State and local governments to tackle. By working together, the District of Columbia and the Corps of Engineers have an opportunity to improve the operation and maintenance of these schools and make a difference to the children of the District of Columbia.

Thank you very much.

[The prepared statement of Colonel Berwick follows:]

INTRODUCTION

Mr. Chairman and Members of the Subcommittee, I am COL Bruce Berwick, Commander of the Baltimore District, U.S. Army Corps of Engineers. I am here today at your request to testify on the District of Columbia Public Schools (DCPS) Capital Improvement Program. In my statement, I will discuss our role in assisting D.C. Public Schools in executing this program. Then I will give an overview of the Fiscal Year 1998 projects and update you on the readiness of those schools under repair to reopen September 1st. I will close by describing our current strategy to address future Capital Improvement needs.

On April 17, 1998, we signed with the D.C. Public Schools a Memorandum of Agreement (MOA). We entered into this MOA pursuant to 31 USC 6505. So far, we have signed five support agreements for in-house technical assistance estimated at $3,090,000. Each support agreement is for engineering, technical and procurement assistance for capital contracts to be executed this fiscal year.

We prioritized the FY98 Capital Projects already approved by DCPS into three categories:

- Projects needed to support the "Summer Stars" summer school program
- Projects needed to be substantially completed this summer to ensure on-time reopening of schools on September 1st
- Projects that could begin this summer and carry over into the school year.

We successfully completed four projects to support the opening of summer school on June 29th. These projects were window repairs at Eastern Senior High School, two air conditioning system replacements including chillers and cooling towers at Gage Eckington and Wilkinson Elementary Schools, and an electrical upgrade and installation of window air conditioners at Aiton Elementary School.

This summer, replacement of 33 roofs and four additional chiller/cooling towers is under way. The General Services Administration and the D.C. Public Schools are working together to complete eight roofs. Using DCPS contracting authority, we are replacing the remaining 25. All work will be completed to the extent necessary to enable schools to reopen safely on September 1st.

Some projects begun this summer will carry on into the school year. They include:

- Window replacements at 16 schools
- Boiler replacements at 16 schools
- Asbestos abatement in two schools in unoccupied wings
- Emergency generator replacements at six schools
- Air conditioning replacements at three schools
- Elevator repairs at two schools
- Interior repairs at one school
- Structural repairs at one school

At schools undergoing capital projects, we are doing everything to ensure that they can open safely and on time. Where work will continue during the academic year, we are coordinating with principals so the work has minimal impact on school operations.

We are assessing all active schools to help determine the capital improvement requirements. To date, we are about half way through this effort. We will use information from the assessments and from the FY99 budget to develop a draft FY99 project list with recommended priorities.

In addition to facility assessments, we are working with DCPS in long-range facility planning. We will address FY2000 through FY2009 needs in a revised long-range facility master plan. We are cooperating with DCPS to schedule community meetings in September to invite the public to participate in shaping the facilities plan.

One limitation under the MOA is that we do not have the authority to issue contracts on behalf of DCPS. A provision in the House and Senate District of Columbia Fiscal Year 1999 Appropriations bills will enable us to contract on behalf of DCPS and will improve the partnership. The legislation will allow us to use existing contracts and our established procurement process. It will streamline contract administration and construction management. It will result in a more efficient use of resources and more timely support to the children, teachers, and administrators in the D.C. Public School system.

I believe the partnership begun between DCPS and the Corps in April is strong and effective. We are looking for ways to provide even more support to DCPS, especially in the area of operations and maintenance.

Historically, school infrastructure in the United States has been a tough issue for state and local governments to tackle. By working together, the District of Columbia and the Army Corps of Engineers have an opportunity to make the operation and maintenance of the District of Columbia's public school facilities a model.

Mr. DAVIS. Thank you. We appreciate your help.

Mr. Turowski.

Mr. TUROWSKI. Good afternoon, Mr. Chairman and Congresswoman Morella. My name is Arthur Turowski, and I am the Director of Portfolio Management for the Public Buildings Service of the National Capital Region of the General Services Administration. Thank you for inviting me here today to provide testimony that will assist with the review and evaluation of the activities associated with the completion of the repairs of the District of Columbia public schools facilities.

Last January, GSA informed this committee of GSA's involvement in assisting DCPS with various repair and replacement work to its facilities during 1997. That work included boilers, windows, roofs, and structures.

In 1998, at DCPS request, we have continued that assistance by providing complete project services to replace the roofs of eight school buildings. The work had a value of $7.5 million, and was completed within budget and on time for the beginning of this school year.

We were also requested to undertake certain window replacements, but because of the lead time associated with fabrication, GSA advised DCPS that completion of that work could not be assured until 1999. GSA was not tasked with that project, but we understand selected window work is programmed for completion next year.

I would add that our dealings with the D.C. public schools have grown more efficient over the entire time we have assisted them. Decisions, information, and funds have flowed between us more smoothly, and this has contributed to successful projects. Based on our past experience, we would certainly be willing to continue the partnership.

This concludes my testimony. I am happy to answer any questions you may have.

[The prepared statement of Mr. Turowski follows:]

Good Morning Mr. Chairman. My name is Arthur Turowski and I am the Director of Portfolio Management for the Public Buildings Service of the National Capital Region at the General Services Administration (GSA). Thank you for inviting me here today to provide testimony that will assist with the review and evaluation of the activities associated with the completion of the repairs of the District of Columbia Public Schools (DCPS) facilities.

Last January, GSA informed this Committee of GSA's involvement in assisting DCPS with various repair and replacement work to its facilities during 1997. That work included boilers, windows, roofs and structures.

In 1998, at DCPS request, we have continued that assistance by providing complete project services to replace the roofs of 8 school buildings. The work had a value of $7.5 million and was completed within budget and on time for the beginning of the 1998/99 school year. Because of the lead times associated with window fabrication, GSA advised DCPS that completion of that work could not be assured until 1999. GSA was not tasked with this project, but we understand selected window work is programmed for completion next year.

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I would add that our dealings with DCPS have grown more efficient over the entire time we have assisted them. Decisions, information and funds have flowed between us more smoothly and this has contributed to successful projects. Based on our past experience, we would certainly be willing to continue the partnership.

This concludes my testimony. I am happy to answer any questions you may have.

Thank you Mr. Chairman. I will be happy to respond to any questions the Committee may have.

Mr. DAVIS. Thank you very much.

First of all, let me thank all of you for taking on a difficult job of fixing a difficult school system. Any questions I ask should be under a predicate that I appreciate your undertaking these onerous tasks. They are very important tasks, and we may not always agree on what is best, but we have the interest of the students at heart in building a great school system here in the District of Columbia.

Does the city school system have about 146 schools, Mrs. Ackerman?

Mrs. ACKERMAN. Yes.

Mr. DAVIS. How many students do you have in the system now?

Mrs. ACKERMAN. At the close of last year, and this was supported by an audit, enrollment was 77,111.

Mr. DAVIS. I am not holding you under oath.

Mrs. ACKERMAN. 77,111. We are beginning the enrollment process for this school year now. It started last week in all of the schools. We are looking at the data again this year, asking all of our students, our new and returning students, to go through the process of proving they are residents of the District.

Mr. DAVIS. Do you think demographically, the number of school kids will go up or down in the public school system, and what will be the impact of the charter school system on enrollment? What I am trying to look at in the question is, do we have too many facilities for the number of students we have? If we do, is it worth keeping them opened if the number of students isn't going up?

Mrs. ACKERMAN. I think as we look at the issue of enrollment and facilities, we can't look at them without considering what the academic plan will ultimately look like. I was on a panel about an hour ago, and somebody from Dayton or Columbus, OH, was there representing that school district. They had 66,000 students and 146 schools.

So in comparison, I guess you have to look at what is it that we are looking for, what is our ultimate goal with our academic plan, and are we going to be willing to support small schools. And if so, what does that mean for the larger——

Mr. DAVIS. Not just small schools. The more difficult situation is that they are aging. They are so old. If they were newer schools, it wouldn't be as expensive, and that is one of the concerns as you put together that plan.

Mrs. ACKERMAN. I think so. I think the Corps of Engineers' work in assessing our buildings and taking a look at all of the aspects related to the facilities issues, the age, the wear and tear, and the feasibility of putting more dollars in, it will be extremely important as we look at the long-range facilities plan, marry that with an academic plan, and make some decisions as a community as to what we want our schools to look like and then move forward in that way.

But we really won't have all of that information until we collect all of the assessment data budget input from everybody in the community who has a stake in this process.

Mr. DAVIS. A fair comment. I guess you are saying that you are not prepared to answer if you have too many schools or not enough because you don't know which way the enrollment is going.

Mrs. ACKERMAN. I think by the end of this year we will have clear guidelines. We will know how many students really ended up in charter schools. We will have all of the facilities assessments provided to us by the corps. So, by the end of this year I think we will be able to look at the District overall and determine what the next step will be.

Mr. DAVIS. I think, at that point, we will call you back and get an assessment as to where we can get the best value for the dollar.

Mrs. ACKERMAN. Right.

Mr. DAVIS. With regard to small school and large school discussions, the community should be involved in understanding the tradeoffs financially as you move back and forth, particularly in aging buildings. I know how wrenching closing a school is because I went through it in Fairfax; there is no easy way to do it. New York went through it, and now has to open schools that were closed because of changing demographic patterns.

So, is the enrollment number going up or down, as we start seeing how many people are opting for charter schools? Does this take away any substantial percentage of students and the traditional education buildings that we have now? Perhaps we will be able to project something for 3 or 4 years. My experience has shown if you go beyond 5 years, your projections are generally worthless.

Mrs. ACKERMAN. I agree; 3 to 5 years for a strategic plan is important.

Mr. DAVIS. Let's wait and look at it, then weigh it at that point.

Mrs. Newman, do you have any comment?

Mrs. NEWMAN. No. We have had discussions about that particular issue and we are in agreement that we need assessment first. We should wait to determine what direction we go until we have the assessment of the buildings and the assessment of the demographics. I think there is a commitment on the part of the superintendent to provide that to us in this year and in working with the corps.

Mr. DAVIS. Under the current city laws, if a school becomes surplus, does it go to the school system to deal with it or does it go to the general government?

Mrs. NEWMAN. Well, the money has been going really to the general government. But the demand for it, there is a recognition of the dollar amount and the school system doesn't really recognize that, and they believe that all of that is theirs.

Mr. DAVIS. I am not trying to get in the middle of the argument because we went through that in Fairfax. The schools with some of the other groups are assessing whether or not they want large or small schools, and where the savings dollars would go if consolidated. Now, if that money doesn't go to education, you have no incentive at all. You have to make tough decisions, you have to anger parents, you have to take away a neighborhood school, and if the dollars do not go back into education, where is the incentive?

Ms. NEWMAN. Mr. Chairman, that is the logic, that it does go back into the school system. There should be an incentive to make the cost-effective decisions because it helps education, but technically——

Mr. DAVIS. I understand. I think Mrs. Ackerman agrees with my understanding of where the assessments go.

Mr. Turowski and Colonel Berwick, is it both of your opinions that the longer you work together, you are becoming more efficient in understanding and sharing information and are coming up with some real savings to the city?

Colonel BERWICK. I think I would answer that, "Yes." We have a very strong partnership. We are finding that our two organizations have respective strengths, and we are able to work in a way that we get each organization working toward their strengths. And we have made good headway, and the work that we are performing this year will come in looking favorably in terms of the overall cost data. We are in good shape.

Mr. DAVIS. Mr. Turowski.

Mr. TUROWSKI. I agree 100 percent. We have found ways to complement one another. The corps and GSA have some different strengths and capabilities and resources, and we have been able to mesh those to get the job done this year.

Mr. DAVIS. The issue has been raised about direct contracting authority for the corps on behalf of the D.C. public schools. Does that impact the timeliness and cost of the summer repair program, for example?

Colonel BERWICK. It does have some impact. There was a learning curve that we went through at the beginning of this process because the District of Columbia had its own procurement procedures. We had ours. We meshed those to some extent.

At this point, I would say, it would enable us to use existing contracts. It would enable us to leverage the capability of our Federal Government employees with contract employees, if we had that authority. And it would also enable us to put in place some contract vehicles which would make us more responsive.

In terms of cost, working closely with Richard Fite, the chief procurement officer for the District of Columbia, we had a very competitive bidding environment, so we did very well on cost this year even without that authority.

Mr. DAVIS. If the language in the pending legislation is, in fact, adopted which would establish direct contracting authority for the corps on behalf of the D.C. public schools, what would that mean in terms of short- and long-term capital improvement timeliness and cost savings?

Colonel BERWICK. I think the most important thing it would do for us, it would let us, for the upcoming fiscal year 1999 effort, use some procurement practices which would emphasize responsiveness of the contractor and that would emphasize the competition, which, of course, would always help us hold the cost down. But it would be our intent to use procedures which would enable us to ensure that the contractors that we have on board for fiscal year 1999 would be very responsive to the needs of the D.C. public schools and responsive to the direction that they would take from the Army Corps of Engineers. I think it would be a positive step.

Mr. DAVIS. If the Davis-Bacon Act did not apply to contracting out in terms of facilities, would you save money and would you get the same quality for less money? Anyone want to tackle that?

Mrs. NEWMAN. No.

Mr. DAVIS. The House debated this a couple of years ago, and I wonder if anybody would like to defend it or say if we had some flexibility, we would be able to save some money? Mr. Turowski.

Mr. TUROWSKI. In the jobs that we did, the eight roofs, all of our work was done through small 8(a) contractors, so I think that yields a margin where probably 8(a) issues and cost premiums don't really enter into it.

Mr. DAVIS. Mrs. Newman.

Mrs. NEWMAN. You know, Mr. Chairman, I have been involved in many Davis-Bacon discussions. There is an argument on the other side of that matter, which I know you are aware of, that you have to take into consideration, because if you do not meet those requirements, then you may have some difficulty in getting the workers that you need to get the job done. So it is a tough issue, and I know——

Mr. DAVIS. You are not eager to engage in it today?

Mrs. NEWMAN. I am not.

Colonel BERWICK. I would second what Mrs. Newman had to say, Mr. Chairman. There is certainly a question of balance. And the other thing that you said which I think is right on point, you may gain some cost advantage but you may give up something in terms of quality. So there is definitely some concerns there.

Mr. DAVIS. Mrs. Ackerman. You don't have to address it.

Mrs. ACKERMAN. OK. No; I don't want to argue the merits. My most pressing concern is in hopes that the passage of the final bill, that won't slow down our ability to get the bill passed and signed. What we need are our funds on October 1, and so it is about being able to——

Mr. DAVIS. I agree with that.

Mrs. ACKERMAN. That is my main concern.

Mr. DAVIS. The D.C. appropriations bill is always a difficult bill as it works its way through the House. Going back 6 to 8 years, there was only 1 year it went smoothly, and that year it had no attachments and very little interference with what the control board and the Mayor and the council had agreed on.

It is a legislative vehicle where a lot of Members see opportunities to make certain points and feel that they can put their implant on the revitalization of the city, and they tend to be controversial points which hold up bills passing both Houses or being signed by the Chief Executive. I think, at the end of the day, if you don't get your money by October 1, they don't recognize how difficult that is for your planning, for your getting contracts and for letting ongoing vehicles go through, so I think your point is well taken.

Mrs. Morella, do you want to ask any questions?

Mrs. MORELLA. Thank you. I am pleased with what I am hearing, the fact that we have established a partnership which I guess I could say was not there before. I mean, when you have got the corps and you've got GSA and the school system and the board all working together, would you agree that this is rather a new phenomenon coming together?

Now, let me ask you about the costs, because I think GAO has said that the costs are kind of high. What are you doing to try to keep the costs down, whoever wants to answer that?

Colonel BERWICK. I will start. The data are not in from this year, but I think we are going to see a marked improvement in terms of cost this year over last. Those are the preliminary indications. And the way that that came about, frankly, was that we did not use emergency procurement mechanisms. We used typical competitive bidding processes which resulted in a very competitive environment and I think kept costs under control.

The other thing that we have done is that we have managed the work carefully, so that at each step along the way if there was a problem that needed to be overcome, we could react in a timely manner and again avoid major shifts in the contracting approach. So that allowed the contractors to approach the work from a relatively orderly process, plan for their work force, and plan for materials ordering, and bring the jobs in at a competitive cost.

Mrs. NEWMAN. Mrs. Morella, I think the city has benefited from having a chief procurement officer, frankly, somebody who has worked in the private sector and is pushing these exchanges along in a more businesslike fashion. This has resulted in the city coming forth with some more cost effective contracts.

Mr. TUROWSKI. I guess I would only punctuate that with the procurements that GSA was involved with, were competitively let. There has been a market issue this summer with roofs. One crew I understand had to be pulled in from Baltimore, and we did work some overtime, so there were some cost premiums associated with those issues. But, overall, I would suggest to you that we met the roofing market, as it were, in Washington, DC.

Mrs. MORELLA. Sort of a one-time escalation of costs. Now, how about the other repairs that need to be done? You assured us, Colonel Berwick, that school will go on, there will be safety for the children, but have you anticipated the costs of the other repair work?

Colonel BERWICK. Yes, ma'am, we have. And again, for each of those procurements, for example, we are doing boiler replacements in 16 schools. Those contracts were all bid competitively, and one of the things that we were very deliberate about at the very beginning is if you put time pressures on contractors, that is what escalates the cost.

So right from the outset we determined that we would find ways to work with Mrs. Ackerman and her principals so that boiler replacement work could progress on an orderly schedule; and, therefore, each of the contracts associated with those schools will have provisions for temporary heat should that become necessary. What we want to do is avoid putting excessive time pressures on the contractor so that we have to pay cost premiums in that sense.

And for the other work, we are doing those in the same manner. The window replacements, we are using a competitive bidding process.

Mrs. MORELLA. Without allowing them to drag it out, of course?

Colonel BERWICK. Absolutely. We will manage that carefully to make sure that does not happen.

Mrs. MORELLA. I understand that there are 11 schools that are closed, and the plan was that they would be sold and the money would go back into the school system. Do you have a status report for us on that?

Mrs. NEWMAN. I will have to get that for you. I had a list. We are prepared to give that to you, the status, and there are some that are in the pipeline also.

Mrs. ACKERMAN. We do have total sales to date of $12.7 million.

Mrs. MORELLA. That money is going to go back into the school system for the infrastructure?

Mrs. ACKERMAN. Right.

Mrs. MORELLA. We had a discussion about the fact that we looked to 5-year projections in the school system. Montgomery County, MD, does the same thing, and I have always wondered whether that is sufficient. Five years makes some sense, but you have to also then, whether it is firm, you have got to look beyond that. If you have a said number of students entering kindergarten, first grade, then after 5 years a certain percentage of them are going to go on, you need to look at some of those schools. Heretofore, we have closed high schools that we should have known we were going to have to reopen or have a flow. Is there something that is done in terms of the planning, so you anticipate beyond 5 years?

Mrs. ACKERMAN. Well, I think the facilities master plan that was put in place or developed last year looked for 10 years out, and I think you have to look at the enrollment trends and all of the trend data, demographic trend data, to make some estimates and some guesstimates about what you think will happen 10 years out.

And the important thing is that the facilities master plan becomes a living document, so that you are going back to it on a timely basis and making some adjustments. But I agree you want to look far enough out. Some districts have closed schools and then 10 years or 5 years or 6 years out they have had to go back and reopen them, or you see the portables outside because of the lack of long range planning.

Mrs. MORELLA. Exactly. I have seen that kind of cycle occur.

Mr. Chairman, I am going to defer back to you.

Mr. DAVIS. Thank you.

Mr. Turowski, let me ask you——

Mrs. MORELLA. Excuse me. I think Mrs. Newman wanted to add a comment.

Mr. DAVIS. Of course.

Mrs. NEWMAN. If I can give you the list, I have been given some and I had a list, but I wanted to be sure that it was correct. I have the amount and the purchaser and the date it came to the authority, and we can submit that for the record if that is all right. Otherwise, I can share some of that.

Mrs. MORELLA. Yes, thank you.

[The information referred to follows:]

DISTRICT OF COLUMBIA
PUBLIC SCHOOLS
Office of the Superintendent
825 North Capitol Street, N. E., 9th Floor
Washington, D.C. 20002-4232
202-442-5885, fax: 202-442-5026
www.k12.dc.us

MEMORANDUM

TO: Congressional Distribution List
Members of the Financial Responsibility and Management Assistance Authority
Members of the Emergency Transitional Education Board of Trustees
Mayor, District of Columbia
Members of the DC City Council
Members of the DC Board of Education
ANC Chairpersons
Interested Parties on Mailing List

FROM: Arlene Ackerman E.B.
Arlene Ackerman
Superintendent

DATE: October 10, 1998

SUBJECT: Disposition of Surplus Property – Update

Attached is the most current update on the disposition of surplus school properties.

We are interested in building our mailing list to inform the community concerning surplus school disposition/reutilization. If you have an organization you feel should be on our list, please send us the address, and we will immediately add them to the list. If you have any questions, please call Suzanne Conrad, Senior Real Estate Advisor at (202) 442-5211.

AA:shc

BEST COPY AVAILABLE

SURPLUS PROPERTY - PUBLIC/PRIVATE PARTNERSHIP UPDATE
D.C. PUBLIC SCHOOLS
October 1, 1998

The following properties have been listed for disposition or public private partnerships with the real estate brokers listed below and Requests for Proposals or Request for Qualifications have been or are being issued on these properties. Many of these properties have been identified for a public/private partnership.

BROKER:
Smithy/Braedon/Oncor
1150 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 775-7600
John Lienhard – (202) 775-7679
Freddie Lewis - (202) 775-7616

Franklin School – 925 13th Street, N.W.
The Trustees have recommended sale of this property to the Bernstein Companies. The Washington Math Science Technology Public Charter School has submitted a bid under the charter preference. Sale is pending a recommendation to the Trustees and approval by the Control Board.

Gales School
65 Mass. Avenue, N.W.
All operating and conditionally chartered schools were issued an invitation to bid on this property, subject to their discount. No bids were received and this property is available for sale or lease. A new Request for Proposals will be issued in the near future.

Carver School
45th and Lee Streets, N.E.
Pending recommendation to the Trustees. Bidders List:

Clara Muhammad Middle School
Buena Vista Academy
Richard Milburn High School (Charter)

Armstrong School
44 P Street, N.W.
All operating and conditionally chartered schools were issued an invitation to bid on this property, subject to their discount. No bids were received and this property is available for sale or lease. A new Request for Proposals will be issued in the near future.

Petworth Elementary School
801 Shepherd Street, N.W.
All operating and conditionally chartered schools were issued an invitation to bid on this property, subject to their discount. No bids were received and this property is available for sale or lease. A new Request for Proposals will be issued in the near future.

BROKER:
The Staubach Company
1401 Eye Street, N.W.
Suite 210
Washington, D.C. 20005
(202) 289-4490
Michael McShea (202) 289-2508
Jim Cahill (202) 289-2510

Hamilton School
610 Brentwood Parkway, N.E.
All operating and conditionally chartered schools were issued an invitation to bid on this property, subject to their discount. No bids were received and this school is available for sale or lease. A new Request for Proposals will be issued in the near future.

Harbor Garage
7th and H Street, S.W.
Pending recommendation from outside real estate consultant. Bidders List:

Washington Very Special Arts Charter School
Young Technocrats Science and Math Lab Public Charter School
World Public Charter School of Washington

Bryan School
1325 Independent Avenue, S.E.
A new round of "best and final" proposals has been requested due to the withdrawal of the offer from the bidder recommended by the Trustees and no bid from eligible charter schools under their preference. In the event no acceptable offer is received, a new Request for Proposals will be issued.

BROKER:
Carey Winston/Barrueta
One Thomas Circle, N.W.
Suite 1000
Washington, D.C. 20005
(202) 463-3500
Collins Ege
(202) 778-3136

Logan School
3rd and G Streets, N.E.
Under review for use as a D.C. Government office.

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Surplus Property-Public/Private Partnership Report

Lovejoy School
400 12th Street, N.E.
All operating and conditionally chartered schools were issued an invitation to bid on this property, subject to their discount. No bids were received and this property is available for sale or lease. A new Request for Proposals will be issued in the near future.

Bruce School
750 Kenyon Street, N.W.
All operating and conditionally chartered schools were issued an invitation to bid on this property, subject to their discount. No bids have been received and this property is available for sale or lease. A new Request for Proposals will be issued in the near future.

Pierce School
14th and G Streets, N.E.
All operating and conditionally chartered schools were issued an invitation to bid on this property, subject to their discount. No bids have been received and this property is available for sale or lease. A new Request for Proposals will be issued in the near future.

BROKER:
Jones Lang Wootton USA
1627 Eye Street, N.W.
Suite 500
Washington, D.C. 20006
(202) 331-3333
Jim Murrey (202) 496-2989
Steuart Colquhoun (202) 496-2947

Kingsman School
1375 E Street, N.E.
Recommendation to Trustees pending a recommendation from the broker. Bidders List:

Fleet Business School
HSC Foundation
Manna, Inc.

Randall School
820 Half Street, S.W.
Pending recommendation to the Trustees. Bidders List:

Health Quest Foundation
PNL Silversmith
Hyde Foundation
Franklin Investments International
Aerospace Academy Public Charter School
Friendship Baptist Church
Southwest Arts Center
Department of Human Services

INFOTEX
Catholic Charities (Homeless Shelter Facility at Randall)
World Public Charter School

McKinley Senior High School
151 T Street, S.E.
Pending recommendation to the Trustees. Bidders List:

Bertrand Development
Health Quest Foundation
PNL Silversmith
Friendship House
Hyde Foundation
World Public Charter School

Old Congress Heights School
600 Alabama Avenue, S.E.
Pending a second community meeting on October 7, 1998 and a recommendation to the Trustees. The Bidders:

PNL Silversmith
Health Quest Foundation
World Public Charter School
William Lockridge
Washington D.C. Contractors Guild/Council
East of the River Community Center
Liberty Temple AME Zion Church
ARCH Training Center

Nicholas Avenue School
2427 Martin Luther King Avenue, S.E.
The Trustees have recommended a lease to the Smithsonian/Anacostia Museum. Lease is with legal counsel for review prior to submission to the Control Board for approval.

SALES APPROVED BY TRUSTEES PENDING DOCUMENTATION

Hayes School
Enon Baptist Church
$380,000.

TOTAL SALES PENDING DOCUMENTATION: **$380,000.**

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Surplus Property-Public/Private Partnership Report

SALES PENDING CONTROL BOARD APPROVAL:

Giddings School
Congressional Squash & Athletic Club
$1,818,000

Woodson Junior High School
Minnesota Avenue Development Associates
$3,801,000

SALES TOTAL PENDING CONTROL BOARD APPROVAL: $5,619,000.

SALES PENDING CLOSING DOCUMENTS:

Syphax School
Manna, Inc.
$120,000

Webster School
Culinary Arts Group
$2,000,000

Richardson School
Robert Lewis Johnson, Jr. Arts & Technology Academy Charter School
$650,000

Crummel School
RJA Social Engineer Company
$340,000

Wormley School
Georgetown University
$1,500,000

Keene School
Promise International, Inc.
$1,000,000.

Berret School
Jefferson Builders, Inc.
$506,255.

SALES TOTAL PENDING CLOSING DOCUMENTS: $6,116,255.

SALES AT MAYOR'S OFFICE FOR SIGNATURE:

SALES TOTAL PENDING MAYOR'S SIGNATURE:

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Surplus Property – Public/Private Partnership Report

CLOSED SALES:

Gage School
Peoples Involvement Corporation
$637,000

Dent School
The Capitol Hill Day School
$400,000

Edmonds School
D.C. Federal Teachers Credit Union
$410,000

Buchanan School
National Graduate University
$1,562,000

Fillmore School
Corcoran Museum of Art – School of Art
$1,500,000

TOTAL CLOSED SALES:	**$4,509,000**
TOTAL SALES TO DATE:	**$16,624,255.**

LEASES PENDING CONTROL BOARD FOR APPROVAL:

LEASES UNDER REVIEW BY TRUSTEES:

Bundy School
429 O Street, N.W.
Department of Human Services

Addison School
3210 O Street, N.W.
Department of Human Services

Reno School
Howard & Fessender Street, N.W.
Department of Human Services

Grimke School
1923 Vermont Avenue, N.W.
D.C. Fire Department and D.C. Department of Corrections

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Surplus Property/Public Private Partnership Report

Blair School
629 Eye Street, N.E.
Department of Human Services

Old Emery School
Lincoln Road & Prospect Street, N.E.
Department of Human Services

Madison School
10th and G Streets, N.E.
Department of Human Services

APPROVED LEASES:

Military Road School (Lease/Purchase)
World Public Charter School of Washington

Jackson School
A. Salon, Ltd.

Langley School (Lease/Purchase)
Young Technocrats Math and Science Pubic Charter Lab School

Lenox School (Lease/Purchase)
Fedora, Inc.

Blow Pierce School (Lease/Purchase)
Friendship House Public Charter School

Burdick School
The Excel Institute (D.C. Private Industry Council/Department of Housing and Community Development.

Hardy School
Rock Creek International School

Chamberlain School (Lease/Purchase)
Friendship House Public Charter School

Woodridge School (Lease/Purchase)
Friendship House Public Charter School

Slater/Langston School Complex (Lease/Purchase)
ARE Public Charter School

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Surplus Property – Public/Private Partnership Report

PUBLIC/PRIVATE PARTNERSHIPS:

Oyster School - Public/Private Partnership
29th and Calvert Streets, N.W.
Broker: The Staubach Company

The DCPS Public/Private Partnership Review Committee has selected LCOR Incorporated as the developer, and Interim Agreement as been signed and the Development Agreement is being prepared for presentation to the Emergency Transitional Education Board of Trustees and the Control Board.

Bell Multi-Cultural School - Public/Private Partnership
3145 Hiatt Place, N.W.
Broker: The Staubach Company

School Without Walls (Grant School) - Public/Private Partnership
21st and G Streets, N.W
Broker: The Staubach Company

Stevens School Public/ Private Partnership.
1050 21st Street, N.W
Broker: Smithy/Braedon/Oncor
Pending recommendation to the Trustees on a selected developer for the project.

Mr. DAVIS. Very good.

Mr. Turowski, you said most of the contracting you have worked with have been 8(a)'s?

Mr. TUROWSKI. That is correct.

Mr. DAVIS. Why is that?

Mr. TUROWSKI. Essentially because of the contract amounts. The contract amounts lend themselves to the set-aside program that we have in place at GSA along with the Small Business Administration.

Mr. DAVIS. They do. So you close the competition and other small businesses that were not 8(a)'s could not have competed for that?

Mr. TUROWSKI. In essence that is true, but in the 8(a) set-aside subset there was a competition undertaken.

Mr. DAVIS. But you have narrowed the competition window to 8(a)'s?

Mr. TUROWSKI. That is correct.

Mr. DAVIS. You don't feel if you opened it any more you would have gotten any additional savings?

Mr. TUROWSKI. Not in this particular commodity, roof repairs.

Mr. DAVIS. You raised it, and I thought I ought to follow up with it.

Mrs. Ackerman, the subcommittee has recently become aware that custodial and maintenance personnel were laid off as a part of the targeted personnel reductions. As I understand it, these are primarily school-based employees who provided direct assistance in the upkeep and maintenance of the school facilities, and I know there have been some articles from parents expressing concerns. Do you think there is any impact from this, and do you want to give us some thoughts?

Mrs. ACKERMAN. I think there is always impact. We have laid off almost 1,000 people including about 300 custodians. There is going to be an impact on the school district when you lay off 300 custodians or 200 other staff people in various other jobs.

The issue for us then becomes how to efficiently use that staff in a different way. More is not always better. When you have fewer people, you must look at how to allocate the staff. The layoffs have required us to go back and look at that issue.

We certainly will monitor the allocation of custodial staff in the schools carefully. At this point we are confident that we can get the buildings clean and that we can keep them clean. We have looked at a new way of allocating staff that is not just based on square footage but also on the number of students in that school and the number of programs in that school, because all of that impacts on the ability to keep the buildings well maintained and clean. But that is our No. 1 priority, and if we need to shift funds there we will certainly do it.

I can say on the other side of it, looking at how many custodians we had in the past, it was a more liberal allocation than in school districts where I have worked in the past. So, if we will need to monitor that for sure, but I think we have the ability to get the schools clean.

Mr. DAVIS. It is never easy cutting people.

Mrs. ACKERMAN. It is not.

Mr. DAVIS. I appreciate that.

Access to adequate resources obviously is critical to the development and implementation of any comprehensive capital improvement program. What is the current status of available funding, both short term and long term? Mrs. Newman and Mrs. Ackerman, can either one of you answer that?

Mrs. NEWMAN. The problem of the adequate funding this year is not the problem that was there last year, and the timing of the funding. The funding was available in time, and the level, the level is not enough, given what is considered the deferred maintenance of over $1.5 billion for the whole school system.

Mr. DAVIS. Right.

Mrs. NEWMAN. But in terms of addressing the priorities for this year, I think you would hear from the superintendent that it would suffice.

Mr. DAVIS. I don't know a public school system in the country that has enough money to do all of the public facilities. I know out in Mrs. Morella's district and in mine, kids are in trailers, and we find another different sort of situation here in the city. You are talking about the cash-flow for this year; at least, it was on time.

Mrs. NEWMAN. It was not a problem.

Mr. DAVIS. And assuming we make the October 1 deadline on the appropriations bill this year, it will save, at least, for two modest improvements you want to make on schedule. If that funding is deferred in some way, that could have ramifications; is that correct?

Mrs. ACKERMAN. It could. The Parents United settlement provides that the school system get 27.5 percent of the city's annual bond revenues.

Mr. DAVIS. That's all right. Take a second.

Mrs. ACKERMAN. We do know that we have adequate funds now, but more is going to be needed. One of the things that I have been most concerned about, and I want us to remember, is that not only do we want to put new roofs on the buildings, and do more in terms of other capital improvements, but we now need to look at how to maintain those facilities, another side of this that I don't want to get lost as we look at updating the capital improvement side. There is maintenance and operations equipment that comes with old buildings, buildings that haven't been cared for, and its important to address these requirements as well.

Mr. DAVIS. Mrs. Ackerman, you talked earlier about how the academic plan would determine some of your facilities needs, and you have articulated that well and I understand.

What is the status of development of that approach? What is the time line for getting that and getting it resolved and making some of those decisions at this point?

Mrs. ACKERMAN. Well, part of what we want to do is get community input. We want to hear what the community, parents, and other community members want to see in terms of an academic plan, and want to marry that with the assessment data we have on our buildings.

That process will occur this fall. It is coinciding with the work of the corps which we anticipate will be done by the late fall, early winter. By the end of this year, we should have the information we need to begin the development of a long range master facilities

plan, a revised plan that incorporates more than the last one did on the academic side of things.

We know what we want our children to know and be able to do. Now we need to ask ourselves: what kinds of facilities enhance that? What can we do with buildings to increase the possibility that all of our children get there?

Mr. DAVIS. And well within budget constraints.

Mrs. ACKERMAN. Right. We have to think about what it will cost.

Mr. DAVIS. The difficulty always is in explaining it to people. If you ask people, they are going to want it all, but they have to recognize it has to be paid for one way or the other and that there are tradeoffs, given the limited tax base and other items. Unfortunately, that is where the political leaders come in; they must try to manage expectations, and it is very difficult, as you know. But I think this is a good start in terms of getting a procedure. The tough decisions come later, once we get the assessment.

Mrs. Morella, do you have any other questions for this panel?

Mrs. MORELLA. No, Mr. Chairman.

Mr. DAVIS. Again, this year will be the first time in several years that we have opened all of the schools on time. That is some measurable area of success. We don't see any contingencies that would stop allowing that to happen at this point.

Mrs. ACKERMAN. Nothing but an act of God. But I am talking to her.

Mr. DAVIS. I have some questions about the surplus schools, but I will save that for the next panel because we will have the advisory board of trustees. I think one of the big questions is where does the money go and how does that drive decisions.

I appreciate all of your participation in this panel. Mrs. Norton may have some additional questions that she may send over to you. We would hope you would try to get them back in a timely manner. She shares our concerns here.

We thank all of you for the very difficult task that you have undertaken here. We recognize that we are not going to be able to bring the system where we want it overnight, but facilities are a critical part of that, and if we can get a handle on that, it makes some of the other decisions a little bit easier.

Mrs. Morella.

Mrs. MORELLA. Thank you, Mr. Chairman. Just finally, are you ADA compliant, the Americans With Disabilities Act? Has that been a major consideration? Are you all set on that?

Mr. DAVIS. I will bet if they are not, somebody has filed a suit somewhere in this city.

Mrs. ACKERMAN. You mean are all of our buildings in compliance with the ADA?

Mrs. MORELLA. Yes; right.

Mrs. ACKERMAN. We are working toward that. I don't think we are there yet.

Mrs. MORELLA. So you have done an assessment?

Mrs. ACKERMAN. The corps is doing an assessment at this point, looking at that issue and others for every school. That is a part of the assessment process.

Mr. DAVIS. There are no lawsuits on that by anybody yet? I withdraw the question.

Mrs. MORELLA. I look forward to your next report, when you come back and report to us how this has continued and advanced and progressed. Thank you. Thank you all very much.

Mr. DAVIS. Thank you very much. I will give you a minute and then move to the next panel.

The second panel is going to be Mrs. Newman and Mrs. Ackerman again; and also Maudine Cooper, the chairman of the District of Columbia Public Schools Emergency Transitional Board of Trustees; Ms. Wilma Harvey, the president of the District of Columbia Public Schools Board of Education; and Ms. Carlotta Joyner, the Director of Education and Employment Issues for the U.S. General Accounting Office.

Mrs. MORELLA. I would just like to make one comment. This is an incredible panel for educators, all women. I am very proud.

Mr. DAVIS. I have been reminded by Ms. Brazil in Mrs. Norton's office that today is Women's Equality Day. Of course on this subcommittee every day is Women's Equality Day, but this is officially that day.

[Witnesses sworn.]

Mr. DAVIS. I would ask unanimous consent that all written statements be made a part of the written record. I would also ask the witnesses to observe the 5-minute rule. I am going to ask Ms. Cooper to testify first, followed by Ms. Harvey and Ms. Joyner, and then we will proceed to questions.

STATEMENTS OF MAUDINE COOPER, CHAIRMAN, DISTRICT OF COLUMBIA PUBLIC SCHOOLS EMERGENCY TRANSITIONAL BOARD OF TRUSTEES; WILMA HARVEY, PRESIDENT, DISTRICT OF COLUMBIA PUBLIC SCHOOLS BOARD OF EDUCATION; CARLOTTA C. JOYNER, DIRECTOR, EDUCATION AND EMPLOYMENT ISSUES, U.S. GENERAL ACCOUNTING OFFICE; CONSTANCE NEWMAN, VICE CHAIRMAN, DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY; AND ARLENE ACKERMAN, SUPERINTENDENT AND CHIEF EXECUTIVE OFFICER, DISTRICT OF COLUMBIA PUBLIC SCHOOLS, ACCOMPANIED BY DR. ELIZABETH BEACH, DIRECTOR, CATEGORICAL PROGRAMS AND DEVELOPMENT

Ms. COOPER. Good morning, Mr. Chairman—I guess it is good afternoon now, isn't it—and Committee Member Morella. I am Maudine Cooper, chair of the Emergency Transitional Education Board of Trustees of the D.C. public schools, and I am also president of the Greater Washington Urban League.

I listened very carefully to the earlier panel and some of the questions, and I do hope that we will have a chance to perhaps revisit a few of those. I can say to you that it is very difficult to compare where we are now to last September. That was an extraordinary period, I think, in the lives of all of us. I think on behalf of the trustees we voted overwhelmingly to close 11 schools, and in addition, we also voted overwhelmingly to start late. Two of the toughest decisions I think we have ever made, and we had no options as we saw them at the time.

I am pleased and proud to say that the kinds of issues that were there then, are not present before us now, and we all say, echoing

what you have heard earlier, District schools can and will open on time, September 1. And I have said some prayers, Arlene, and I think God is promising us that He will help us all that He can.

We don't have the fire code issue with us this year. Our fire codes are being abated. We don't have the issues of, again, a lack of professional leadership at the school level. We have a superintendent whose track record is proven. We also have a staff surrounding her that she selected, that is also providing that same advice and counsel needed to make sure that the schools open September 1 and that what goes on September 2 and months beyond is for the betterment of the youngsters in those systems.

Principals, teachers, and community members all have a say in what is going on in our schools now, from the work to the curriculum. That is called accountability, and accountability is happening in our school system under the new leadership.

We are also very pleased that the Emergency Transitional Board of Trustees entered into an agreement with the National Center on Education and the Economy, or NCEE, last year prior to Mrs. Ackerman coming on board, but NCEE is working with the school superintendent and her staff to provide district-wide, standard-based performance and accountability guidelines.

These guidelines will ensure that all administrators, principals, and teachers receive the necessary training, technical assistance and support needed to improve student performance. The guidelines also hold everyone accountable: students, teachers, administrators and staff. For the first time, customer satisfaction surveys were used as a part of this management tool for teacher and principal evaluations.

You also probably remember that we instituted a 1-year principal contracts process last year in order to make principals more accountable for what goes on in their buildings, and this year Superintendent Ackerman utilized again the customer satisfaction surveys, parental involvement, Stanford 9 test results, managerial and written skills to decide whether new 1-year contract teachers, or principals, rather, would stay on board.

We have 39 new principals, due to retirements and in some instances replacements, and we are beginning to see real progress through accountability. Parental involvement is up, training for principals, teachers, and parents is up, and student test scores are also up. Our superintendent has put the brakes on social promotions by implementing new promotion and graduation requirements, and also that students do not automatically move on to the next grade unless they can prove mastery of essential skills and knowledge. That is again a part of our accountability.

The hope of our process is process. No one can do this alone, and therefore under this new process there are several safety nets in place to assist in this promotional progress. More schools are providing before and after school tutoring and Saturday academies. We saw what happened with Summer STARS. That was a real success in our D.C. public schools.

At the trustee's last meeting on August 12, Mrs. Ackerman read a letter to us from a parent, Lisa Johnson, who was really excited that her daughter was learning to read through this summer program using phonetics, which many of us remember. I might add

that as I go around the city in my other job, I talk to youngsters and I ask them consistently, "Did you enjoy summer school?" And they will always say yes, they just didn't enjoy going to school, they enjoyed summer school. I don't know quite what the difference is, but I think they had fun.

Now that the summer program is finished, the school system officials are gearing up for the first day. We are receiving various reports at our various trustee meetings, one of which will be held tonight. We are looking at the student verification activities. We expect to receive a report on that again tonight to determine where that is. It is necessary, it is essential, and it will take place. Out-of-State tuition will be paid for those who persist in attending our schools.

Finally, computer information is critical to what we are doing. A new management information system will be in place, thanks to the commitment from the Control Board, and in addition, other activities are underway to provide the support that we believe is so important to our superintendent. Our role is policy recommendation, it is support, it is resource identification. It is not micromanagement, and we do not do that. Thank you.

[The prepared statement of Ms. Cooper follows:]

TESTIMONY
of
Maudine R. Cooper
Chair
Emergency Transitional Education Board of Trustees
District of Columbia Public Schools

Before the
Subcommittee on the District of Columbia
Committee on Government Reform
U.S. House of Representatives

August 26, 1998

Good afternoon, Mr. Chairman and members of the Subcommittee.

Thank you for the invitation to discuss management reform in the District of Columbia Public schools and the role the Emergency Board of Trustees has played in it.

I am so happy to be able to report to you today that the school system is no longer under the cloud of a fire code violations lawsuit. This means that for the first time in a very long time, administrators at DCPS are able to fix fire code violations and manage the facilities plan without the threat of school closings, massive student displacements, and learning disruptions. District schools can and will open on time September 1st. More importantly, they will stay open even if some minor work has to be done. Principals, teachers, and community member all have a say about how work proceeds at a school and when it proceeds. That is called accountability. Management reform in D.C. schools is pushing forward; all the while keeping accountability in the forefront.

It was accountability that lead the Emergency Transitional Education Board of Trustees to enter into an agreement with the National Center on Education and the Economy or N.C.E.E last year. N.C.E.E. is working with School Superintendent Arlene Ackerman and her staff to provide district-wide standard-based performance and accountability guidelines. These guidelines will ensure that all administrators, principals, and teachers receive the necessary training, technical assistance, and support needed to improve student performance. The guidelines also hold everyone accountable: students, teachers, administrator, and staff. For the first time, customer satisfaction surveys were used as a part of this management tool for teacher and principal evaluations.
You will probably remember that we instituted one-year principal contracts last year in order to make principals more accountable for what goes on in their buildings. Well, this

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year. Superintendent Ackerman. utilized customer satisfaction surveys. parental involvement. Stanford 9 test results. managerial and writing skills to decide whether new one-year contracts would be given to principals. We have thirty-nine new pincipals due to retirements or replacements. We are beginning to see real progress through accountability.

Parental involvement is up, training for principals. teachers. and parents is up. and student test scores are up.

Superintendent Ackerman, has put the breaks on social promotion by implementing new promotion and graduation requirements. This year students did not automatically move to the next grade unless they could prove mastery of essential skills and knowledge. They were held accountable. The whole process is a partnership. Administrators and educators displayed their accountability by providing students with several safety nets to aid their promotional progress. Most schools provided before and after school tutoring and Saturday academies. To top things off. there was the Summer STARS summer school program...that was a big hit. At the Trustees' August 12th meeting, Ms. Ackerman read us a letter from a satisfied customer, parent, Lisa Johnson. Ms. Johnson said. she was excited to see her daughter really learn how to read this summer using phonetics.

Now that the summer school program is finished, school system officials are gearing up for the first day of school. The Board of Trustees approved some new rulemaking that we hope will help identify DCPS students who live in the city and those who do not. It is called, "Student Residency Verification." All students will have to produce three documents of residency in order to attend a D.C. Public School. The verification will serve two purposes: the district should be able to provide a very precise student head count and receive much needed and deserved out-of-state tuition currently not being paid.

While M.I.S., the "Management Information System," computer continues to have problems quickly generating the data that shows our progress with reform efforts; the good news is that the Superintendent has received a commitment from the Control Board to replace it in the coming year.

We have made a good start on management reform this year. We have even witnessed some of the fruits of our labor. However, there is still a great deal of work to be done.

I look forward to your questions.

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Mr. DAVIS. Thank you very much. Go ahead.

Ms. HARVEY. Good afternoon. For the record, my name is Wilma Harvey. I am the president and representative to the D.C. Board of Education.

Previous speakers have provided necessary factual updates as to the status of the D.C. public schools' readiness for the 1998–1999 school year. I too believe that the schools will open on time, and I have expressed this view to the parents in communities throughout the District of Columbia.

There has been remarkable progress over the past year in putting in place more rigorous standards, beginning to address problems of staffing and management systems, and making further investments in physical upgrading of buildings and building technology. I commend those who have contributed to this progress. I recognize that many of these decisions have had to be made quickly and decisively by the new team. In my role as representative of communities of the District of Columbia, I would like to be able to provide more detailed information in a timely manner, but I do recognize the decisive leadership of Mrs. Ackerman and her team and I do support her efforts to make progress quickly.

At the same time, in order for this progress to be sustained, there must be a commitment to continue to involve parents and communities through the process of reform. This is not happening as much as I would like, but I am encouraged and hope that the administration will make this a priority in the upcoming school year. At present, too many parents are simply confused.

Further, there is not much understanding on what the next few years will hold for the public schools. Much of the information people need to know simply is not available. As we have discussed this morning, there still needs to be some more work on the facilities plan. We need to know more about the budget and how it impacts the future. There is great uncertainty about what schools will remain open as we talk about consolidating our inventory of schools.

The data from the Stanford 9 examination is not available yet. We need to know what curriculum changes are planned; what new technologies will be available; what will happen to special education; what will be provided as an alternative education for children who need additional attention and supervision, and to have answers to many other questions basic to good governance, accountability and parent confidence so that they can predict the future for their children.

My greatest concern is that we have not made progress in preparing for a return to elected governance and oversight. We will be electing five new board members this fall. We do not have clarity on how the responsibilities will be returned.

I am sure that as Members of the House of Representatives, you can understand that the public school system has a public and public communities and we have to provide them a process. I am looking forward, as a member of the Board of Education, to offering a successful school year to all of the children in the D.C. public schools, and we stand 100 percent behind Mrs. Ackerman and her team.

I thank you for the opportunity to speak this afternoon.

[The prepared statement of Ms. Harvey follows:]

Previous speakers have provided the necessary factual updates on the status of the DC Public Schools and the readiness for the 1998-99 School Year. I will make three general points about the progress of school improvement to date and then focus my remarks on the public processes for development and implementation of plans and strategies for further improvement.

- There has been remarkable progress over the past year in putting in place more rigorous standards, beginning to address problems of staffing and management systems and making further investments in physical upgrading of buildings and building technology. I commend all those who have contributed to this progress. I recognize that many of these decisions have had to be made quickly and decisively by the new team. In my role as representative of communities of the District of Columbia, I would like to be able to provide more details in a timely manner, but I do recognize the decisive leadership of Mrs. Ackerman and her team and I do support her effort to make progress quickly.

- At the same time, in order for this progress to be sustained, there must be a commitment to involving parents and communities in the process of reform. This is not happening as much as I would like and I would encourage the administration to give this a priority in the next year. It is not sufficient merely to obtain a kind of sullen acceptance. Decisions are being made that involve their children. Parents need to be able to understand the new rules and regulations and new standards and they need to know how to contribute and how to make their views known when they are dissatisfied with what they are offered. At present, too many parents are simply confused.

- Further, there is not much understanding of what the next few years holds for the public schools. Much of the information people need to know is simply not available, even to officials such as myself. There still is not a facilities plan in place. I have not seen a budget with enough detail to know what is planned. There is great

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uncertainty about which schools will remain open. The data from the Stanford 9 examinations are not yet available. We need to know what curriculum changes are planned, when new technologies will be available, what will happen with special education, what will be provided as alternative education for children who need additional attention and supervision – and to have answers to many other questions basic to good governance, accountability and parent confidence that they can predict the future education opportunities for their children.

- My greatest concern is that we have made no progress in preparing for a return to elected governance and oversight. We will be electing six new Board members this fall, but we do not have any clarity as to how and when responsibilities will be returned. The Board is in a protracted process of mediation with the control board.

- I am sure that the members of the House of Representatives understand that a public school system has a public and that the public school parents and communities must have a legitimized process through which to express their desire and expectation for the education of their children.

- I, and the other members of the elected school board, look forward to a successful school year and to providing constructive advice and input from the community to Mrs. Ackerman and her team.

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Mr. DAVIS. Ms. Joyner, we will let you leave, and then we will allow our two participants from the last panel to speak before we get into some of the questions and answers. We want to give everybody a chance to respond. Thanks for being with us.

Ms. JOYNER. Thank you. I am very pleased to be here with you today to present the results of our findings on efforts in the District of Columbia and the D.C. public schools, to obtain grant funds through the Federal education grant programs available to them.

The Federal Government provides funds for hundreds of education programs, of which 103 are available for preschool, elementary, and secondary education. Most of these are administered through the Department of Education, but 12 other agencies also have responsibility.

There has been concern both on the part of Members of Congress and in the press about the extent to which D.C. public schools have taken advantage of available Federal education dollars, so you asked us to address today three questions. First, what Federal education grant programs are available to them; second, the extent to which they have access to these funds; and, third, the District of Columbia offices responsible for the application process.

My statement is based primarily on our forthcoming report on this topic which you requested.

As you can see in the first chart, which is also available in my written statement, of the 103 Federal grant programs available directed to these issues, 72 of these programs are available specifically to the D.C. public schools. These programs target at-risk students, Head Start, education reform, school nutrition, among other topics. Of the 31 programs that are not available to the D.C. public schools, most of those address specific topics and target groups that are not commonly available in the District.

The next chart now breaks down the 72 available programs into those that were applied for or received by the District of Columbia in fiscal year 1998. Forty-six programs in total were applied for or received. Thirty-nine of these were received and the funds were made available to the D.C. public schools. There are five award decisions pending, and two applications were rejected. Twenty-six of the available programs were not applied for by the D.C. public schools.

The next chart shows some of the reasons that we were given by officials for not accessing these other 26 available Federal grant programs. These both had to do with sufficiency of staff or resources, primarily.

For example, we were told that in some instances there were insufficient staff to prepare and submit the applications, or in fact to implement the programs if they received the grant. Also, in some instances, there was not enough money or insufficient budget to provide the matching portion that would be required by certain Federal education programs. In addition, sometimes there was a need, we were told, to prioritize resources when some of the deadlines came close to each other.

The next chart addresses the last question you asked us to consider, and this presents the grant application process as of August 1998. The date here is relevant because, in fact, the process changed while we were doing our review and we were told that it

would likely change in some respects in the future. But as a snapshot of right now, this is what we believe to be the process.

An important note is that the process in fact is slightly different depending on the particular grant program. In most instances it is the D.C. public schools which has responsibility for applying for or receiving the grants, but some of these are the responsibility of the Department of Human Services or the Office of Grants Management and Development.

For those applications that are the responsibility of DCPS, the application is prepared by the office that will have the responsibility for administering it, for example, the Office of Categorical Grants, and then the application is signed by the CEO.

The applications signed by the Department of Human Services come from the Office of Postsecondary Education, Research and Assistance, and these are primarily the TRIO programs that are targeted to encourage students to finish school, and go on and complete college.

There are two programs administered by the Department of Justice which would be the responsibility, if they chose to apply for them, of the Office of Grants Management and Development, which is in the Office of the Chief Financial Officer.

In addition to these, there are some grants received by the D.C. public schools for which they are subgrantees and the grantee with primary responsibility is within another office in D.C. Government or actually in another school district.

This concludes my prepared statement. I would be glad to answer any questions you might have.

[The prepared statement of Ms. Joyner follows:]

Mr. Chairman and Members of the Subcommittee:

We are pleased to be here today to report our findings on the District of Columbia and the District of Columbia Public Schools' (DCPS) efforts to apply for and receive grant awards through the federal education grant programs available to them.

The federal government provides funds for hundreds of education programs, of which 103 are available for preschool, elementary, and secondary education. Most of these are administered by the Department of Education, although 12 other agencies also offer such programs. The biggest of these, outside Education, are the school nutrition programs administered by the Department of Agriculture and the Head Start program administered by the Department of Health and Human Services.

Concerns have been voiced in congressional hearings and the press about how well DCPS has taken advantage of available federal education dollars. You have asked us to comment today on (1) what federal education grant programs are available to the District of Columbia, (2) the status of its efforts to receive federal education grant programs, and (3) the District of Columbia offices responsible for the application process.

My statement is based primarily on our forthcoming report on this topic, which you requested. To obtain this information, we interviewed officials from the District of Columbia government, DCPS, and Education–including its Office of Inspector General (OIG)–and we reviewed supporting documentation, including the Catalog of Federal Domestic Assistance (CFDA).[1] Through computerized searches of the CFDA, we compiled a list of federal education grant programs available for preschool, elementary, and secondary education. The list of federal education grant programs was reviewed for accuracy and completeness by representatives of the federal agencies that administer the programs, DCPS, and the Office of Grants Management and Development (OGMD) in the District of Columbia government. They indicated which of those programs are available and not available to DCPS and identified programs available to DCPS that we added to our list. We identified the offices responsible for the application process by interviewing DCPS and District of Columbia officials.

In summary, DCPS is eligible for 72 of the 103 fiscal year 1998 federal education grant programs available for preschool, elementary, and secondary education. In fiscal year 1998, the District of Columbia applied for 46 of the 72 federal programs. According

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[1]The CFDA is a governmentwide compendium of federal programs, projects, services, and activities that provide assistance or benefits to the American public. It contains information on financial and nonfinancial assistance programs administered by departments and establishments of the federal government. Because the funds available to the District of Columbia in fiscal year 1998 come from federal 1997 and 1998 fiscal year appropriations, we used the 1997 and 1998 CFDA to compile the program list.

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to DCPS officials, DCPS did not apply for the remaining 26 programs because it lacked the resources to pursue these grants. For example, budgetary constraints precluded its applying for grants requiring matching funds, such as Even Start-Migrant Education, and DCPS said it had insufficient staff to apply for some grants or to implement the grant if received, such as Bilingual Education-Professional Development. The grant application process can vary by grant and involves several offices in DCPS and the District of Columbia government.

BACKGROUND

Because of DCPS' location in the nation's capital, it has a unique administrative environment. Washington, D.C., is not located in a state, so that DCPS, unlike other school districts, does not receive the oversight and assistance often provided by states. Therefore, various administrative activities required by federal grants–such as oversight and program implementation management–that are frequently divided between state educational agencies and local educational agencies are divided among various offices within DCPS and the District of Columbia government. Furthermore, recent organizational changes in both the city and its school system–part of attempts to improve the management of both entities–have changed the administration of the schools. Frequent reorganizations of both DCPS and the District of Columbia government continue to shift responsibilities and accountability for grant application and management within each entity. Finally, DCPS has one set of responsibilities not normally assigned to a school district or state education agency: It has responsibility for federal nutrition programs, including those that are not operated in the public schools, such as the Temporary Emergency Food Assistance Program.

In 1995, after years of financial mismanagement and neglect had resulted in the District of Columbia's inability to provide effective and efficient services in a number of areas including education, the Congress passed legislation establishing the District of Columbia Financial Responsibility and Management Assistance Authority (Authority).[2] In November 1996, the Authority issued a report entitled "Children in Crisis: A Report on the Failure of D.C. Public Schools" in which it concluded that the deplorable record of the District of Columbia's public schools by every important educational and management measure had left the system in a state of crisis.

To help address these problems, the Authority subsequently ordered the restructuring of the DCPS, discharged the Superintendent, redesigned the position as the Chief Executive Officer/Superintendent (CEO), and delegated the responsibility to manage the District of Columbia's schools to a newly installed nine-member Emergency Transitional Education Board of Trustees. However, on January 6, 1998, the U.S. Courts

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[2]The District of Columbia Financial Responsibility and Management Assistance Act of 1995 (Public Law 104-8). The Authority is also known as the Control Board.

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of Appeals for the District of Columbia Circuit ruled that the delegation of powers to the Trustees was illegal. As a result, the CEO has the responsibility to manage the schools.

Federal Education Grants

The federal government lists 103 programs in the CFDA for preschool, elementary, and secondary education for fiscal year 1998.[3] These are operated by 12 federal agencies: the Departments of Education, Agriculture, Commerce, Defense, Health and Human Services, Interior, Justice, and Labor as well as the Corporation for National and Community Service, Environmental Protection Agency, National Science Foundation, and United States Information Agency. In fiscal year 1997, these agencies administered grant programs with funding totaling an estimated $36.6 billion for preschool, elementary, and secondary education programs, with four agencies accounting for over 90 percent of the funds: Education (43 percent), Agriculture (24 percent), Health and Human Services (14 percent), and Labor (13 percent).

Most federal education grant dollars for preschool, elementary, and secondary programs are targeted to at-risk students, including those who are poor or disabled or have limited English proficiency. The number of poor students is determined by the number of children who apply and qualify for free and reduced-price lunches under the National School Lunch Program. Because over 80 percent of the District of Columbia's students qualify for free or reduced-price lunches, the District of Columbia is qualified for most federal education grants.

D.C.'s Troubled Grant History

DCPS and the District of Columbia government have a history of failure in optimizing access to educational grant funds. For example, the National Science Foundation revoked a $13.3 million grant to DCPS in response to its fall 1996 finding that DCPS was not capable of properly implementing the grant program. A 1998 Education OIG report found that DCPS does not have policies and procedures to cover all aspects of grant management. A self-assessment of grant management in DCPS conducted by KPMG Peat Marwick for DCPS concluded in a January 1998 report that program managers do not adequately monitor their programs' financial activities.

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[3]We have defined a program as a funding stream that has a unique number in the CFDA. State and local education agencies may think about subdivisions of these funding streams as separate projects; therefore, they may consider they have more "programs" than we have enumerated.

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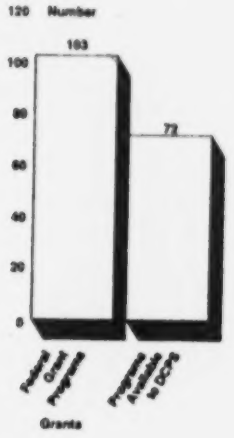
DCPS IS ELIGIBLE FOR MOST FEDERAL EDUCATION PROGRAMS FOR PRESCHOOL THROUGH GRADE 12

As figure 1 shows, DCPS is eligible for 72 of 103 federal education programs targeted to preschool, elementary, and secondary education, according to Education and other responsible agencies. These programs include those for at-risk students (poor, limited-English-proficient, migrant, and disabled), Head Start, school reform, school nutrition, and technology. The 31 other programs are predominantly for selected populations of students, such as Native Hawaiians, who do not generally reside in the District of Columbia, or for programs that were not openly available for competition in fiscal year 1998.

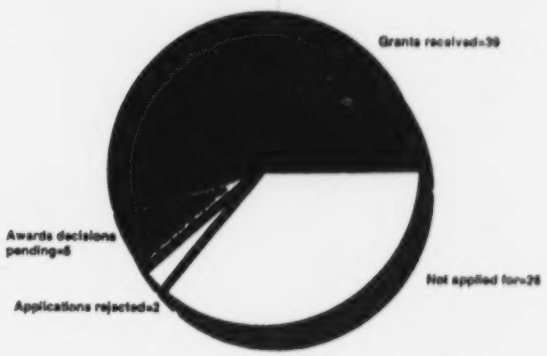
Figure 1: Available Preschool, Elementary, and Secondary Education Grants, Fiscal Year 1998



DISTRICT OF COLUMBIA RECEIVED MORE THAN HALF OF AVAILABLE FEDERAL GRANTS

The District of Columbia applied for funds through 46 of the 72 education programs and received funds through 39 programs in fiscal year 1998.[4] Figure 2 provides more detail about the application status for the 72 available programs. Of the seven programs for which DCPS applied but has not received funding, it received rejection notices for two, and award decisions are still pending on the remaining five. DCPS did not apply for the 26 other available programs because it lacked the resources to pursue these grants, according to DCPS officials. For example, DCPS said budgetary constraints precluded it from applying for grants requiring matching funds, such as Even Start-Migrant Education. For other programs such as Bilingual Education-Professional Development, DCPS said it had insufficient staff to prepare and submit grant applications or to implement the grant if received. In addition, the director of categorical grants cited the problem of time constraints that required prioritization of which grants to apply for when deadlines caused conflicts.

Figure 2: Application Status of Available Federal Education Grants, Fiscal Year 1998



[4]Of these 39 grants received, the application for one was submitted by an agency outside the District of Columbia, but DCPS received the funds as a subgrantee.

RESPONSIBILITY FOR GRANT APPLICATIONS IS SHARED BY MORE THAN ONE OFFICE

DCPS may gain access to education program grants through applications submitted by DCPS, the D.C. Department of Human Services, the D.C. OGMD, or another agency for which DCPS is a subgrantee. The CEO of DCPS signs and submits all grant applications for which DCPS is the primary grantee. The grant applications are prepared for CEO signature and review by the DCPS office responsible for administering the grant award. Applications for Education's TRIO programs are prepared by the D.C. Office of Postsecondary Education Research and Assistance and submitted through the D.C. Department of Human Services.[5] Applications for two other federal education grants–administered by Justice–are the responsibility of OGMD in the Office of the Chief Financial Officer in the District of Columbia government.[6] DCPS may also gain access to federal education grants by being a subgrantee or by being part of a consortium.[7]

Because of ongoing reorganization in DCPS, the responsibilities for the grant application process changed during this review and will continue to change, according to DCPS officials. For example, before July 23, 1998, nutrition grant applications went directly from the Office of Food and Nutrition Programs to Agriculture; special education programs and some adult education programs and vocational education programs went directly to the CEO from the respective program offices; all other grant applications went through the Office of Categorical Programs.[8] During our review, the state director of food and nutrition programs was replaced and the new acting director of food and nutrition

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[5]The TRIO programs fund activities to encourage and motivate youth with the potential for postsecondary education to continue in and graduate from secondary school and to successfully enter and graduate from college

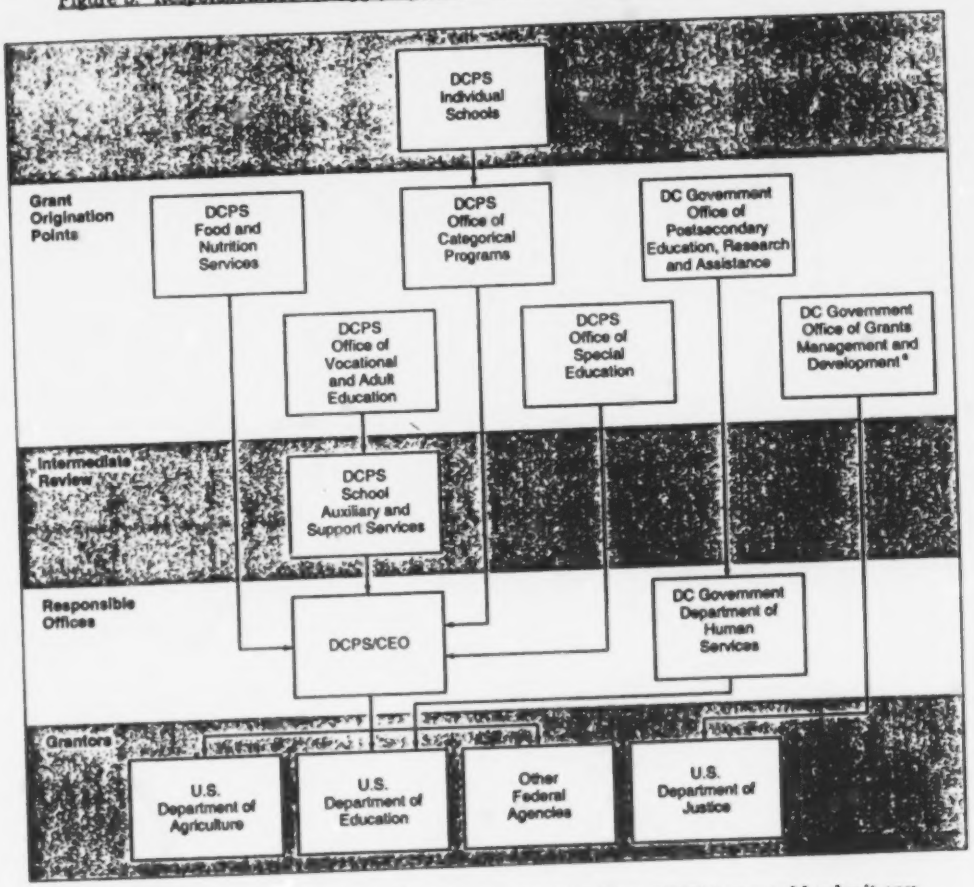
[6]This office has also assumed responsibility for identifying all federal grant opportunities for the District of Columbia by monitoring the CFDA and Federal Register notices, according to the Director. The office forwards appropriate information to the various DCPS officials, tracks due dates for applications, and sends reminders to the DCPS offices with responsibility for the application. This office also can identify or facilitate opportunities for DCPS to pursue funds as part of a consortium. This office has initiated a database to track grant applications, awards, and rejections.

[7]DCPS receives funds as a subgrantee to the Los Angeles Unified School District for the STAR schools program (CFDA 84.203) and as a subgrantee to the District of Columbia's Department of Employment Services for the Job Training Partnership Act (CFDA 17.250).

[8]The director of the Office of Food and Nutrition Programs was the designated "state director" of food and nutrition programs; Agriculture regulations require that funding applications be signed by the state director.

programs told us that in the future nutrition grants would be going through her office to the CEO. See figure 3.

Figure 3: Responsibilities for Applying for Federal Education Grants as of July 31, 1998


DCPS Individual Schools
Grant Origination Points
DCPS Food and Nutrition Services
DCPS Office of Categorical Programs
DC Government Office of Postsecondary Education, Research and Assistance
DCPS Office of Vocational and Adult Education
DCPS Office of Special Education
DC Government Office of Grants Management and Development [a]
Intermediate Review
DCPS School Auxiliary and Support Services
Responsible Offices
DCPS/CEO
DC Government Department of Human Services
Grantors
U.S. Department of Agriculture
U.S. Department of Education
Other Federal Agencies
U.S. Department of Justice

[a]This office is within the office of the Chief Financial Officer (CFO) but would submit any grant applications directly to Justice without needing the signature of the CFO.

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Mr. Chairman, this concludes my prepared statement. I would be pleased to respond to any questions you or members of the Subcommittee may have.

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Mr. DAVIS. Thank you. They say a picture is worth 1,000 words. I will have some questions later, but do either Mrs. Newman or Mrs. Ackerman want to make any comments?

Ms. HARVEY. Oh, on that?

Mr. DAVIS. On anything else, before we go to questions.

Mrs. NEWMAN. I know my full statement will be in the record, but there are just three points I would like to make, because I know the areas of concern of this committee.

First of all, as a result of the efforts of the school leadership, the school system has closed the projected gap in the finances for this fiscal year, and they made some tough decisions, some reductions in force, some expenditure freezes and reductions in overtime. And I want to put that on the record because I think you can be assured that from this point forward, we will not have the concern that we have had in the past, that there might be deficits in the way in which the school system runs its operation, because they, the leadership, understood that this is not acceptable and knows how to take the tough steps to ensure that it does not happen.

There are two issues, though, that are of great interest and I think will require great attention in this next year, and the first has to do with special education. There are 7,700 students already in special education and the number is expected to grow to 11,000 in the coming school year. This will mean the budget for special education will be going up over 9 percent of the total in the next year. The school system is doing what it needs to do, and that is conduct the assessments in a reasonable period of time. But given the growth and the impact on the budget, we are all going to have to take some tough looks at the whole special education program.

Some of the reasons for having the increase in the number of students in special education, I frankly believe, go to the failure in the school system to educate at the early ages, which then pushes many unnecessarily into the special education program. This needs to be studied, and in addition, we need to determine the extent to which we can reduce the costs for transportation, even complying with the court's decision.

The second point has to do with the charter schools. We are very supportive—I think I speak for the Authority, but also for the school system—we are very supportive of the opportunity that charter schools present to the school system in suggesting innovative approaches to public education.

What we are going to have to do during this period, though, is to be realistic about how fast we can move into the charter schools, what kind of support we can provide. We need to be realistic about the impact of principals and teachers moving out of the public school system into the charter schools, and now that we will have experience with the charter school, we need to look at the support that will be expected of the school system and the proper role of the District superintendent and the leadership there as a State education agency.

I just wanted to put those two issues on the record, because I think we will have an opportunity to be discussing them throughout the year.

Finally, we do believe a great deal of progress has been made, but we are not foolish. We know that the problems in the school

system didn't happen overnight, and that it will take a great deal to turn it around. It is going to take time and resources, and the commitment of the community to work together to bring about the change. We do believe that we have the proper leadership with Arlene Ackerman, but we do know that it is going to take much more than that.

Mr. DAVIS. Thank you.

Mrs. Ackerman, do you want to make any comment or just be here for questions? You have a statement in the record.

Mrs. ACKERMAN. I do have a statement to place in the record. However, I do want to take a moment here to brag about what we have accomplished.

Mr. DAVIS. Please take as much time as you want.

Mrs. ACKERMAN. I will try to move through this quickly, knowing that you do have my written statement.

I am sure that you have heard about the saying or you have heard the song, and I used to like the version that Diana Washington sang, "What a Difference a Day Makes." I would like to modify that and to say what a difference a year makes. I have been here now a little less than a year. People tell me I date myself when I say Diana Washington, by the way. But a year has come and a year has passed, and I do believe in the District of Columbia public schools we have made significant progress.

There is still much to be done, as we have said, but I do think it is important that we take note of some of the progress that we have made, which includes the improved academic performance of our students as measured by the Stanford 9. This year we were able to show improvement in every grade level that was tested between spring 1997 and spring 1998. The Stanford 9 is not the only measure that we are using to look at our performance, but it is an important one. It is a significant one that shows us that we are clearly moving forward.

We have set clear standards, as you know, and we have ended the promotion of students who have not mastered basic skills. We have required those students to go to our Summer STARS program. The good news is that we had about 10,392 students who scored below basic in reading and math, we had 24,646 students who attended summer school. We had a big response to the program from students who weren't required to be there. I think that is because of the innovative structure that we put in place and the approach we took by creating very small classes in reading in particular, 2 adults to every 15 children. All of that certainly paid off.

A second priority was accountability. We held people accountable across the system, not only the students but the adults. We instituted a new principal evaluation system in which 50 percent of a principal's evaluation was based on improving achievement in their schools.

Our third priority was professional development. We focused on professional development not only for our teachers but for our principals. As a result we did see that the coming together of both the instructional leaders and the classroom teachers around certain topics related to standards and curriculum and instructional strategies were important factors in the gains we saw on the Stanford 9.

Finally, we did make a concerted effort to engage the public in this process. I know that this is an area that Ms. Harvey would like to see us improve on. But we did show, I think, progress. It certainly is an area that we will focus on next year. We published substantive newsletters on reading and mathematics standards, as well as just overall student achievement. We did enter into partnerships with our faith communities and we implemented the "Everybody Reads" program, a tutoring program that focused mainly on our second grade students. By the way, our first and second grade students showed significant gains on the Stanford 9, so that effort was certainly one that we will continue for next year.

We are moving forward. In the new year, we are reaching higher, which is our new theme. We are going to build on the momentum we have created. We will open school on time on September 1. I know that that has been a concern of many people in this community. It has never been an experience of mine not to open schools on time, so I was never worried.

It is very pleasing for me to be able to reassure people that not only will we start on time, but students will be engaged in learning on the first day. We are not just opening school, but textbooks are in the buildings now. They were delivered the week of July 15. Students are picking up their schedules as we speak. So we are not just opening school on time, but we are opening school with children ready to learn.

There are a couple of final things that I want to talk about. I will try and move through them quickly. We are looking at a new staffing model for this year and will hold our principals accountable for making sure that the staffs in their schools are indeed a part of the systems overall budget. We are also publishing school-by-school budgets so that we can show all of our stakeholders how the system's resources are being spent in a way that is meaningful for them. This week we are holding an open enrollment period for all of our students, and we are requiring them to prove that they are residents of the District of Columbia school district.

Finally, I want to focus on the presentation by GAO. In fiscal 1998, we have applied for almost $75 million in Federal grants out of a total of $80 million that was available. So if you just look at the numbers of grants, instead of the dollar value of these grants, it is a little bit deceiving. We did make conscious decisions to apply for the grants that were aligned with our academic goals, and also those that brought with them significant amounts of dollars.

To date, of the $75 million that we have applied for, and we are still waiting for decisions on some of those, we have received about $60 million. In addition, we expect to receive an additional $2 million this year for our new school-to-career efforts. Also, we will be releasing title I dollars to 109 of our schools by August 26. This is a major difference from what we have done in the past.

In short, we are looking forward to another successful year, and we intend to continue reaching higher and helping our students to reach higher in the weeks and months to come. Thank you for giving me a little opportunity to brag.

[The prepared statement of Mrs. Ackerman follows:]

DISTRICT OF COLUMBIA
PUBLIC SCHOOLS

Office of the Superintendent
415 12th Street, N.W., Suite 1209
Washington, D.C. 20004-1994
202-724-4222, fax: 202-727-1516
www.k12.dc.us

STATEMENT OF ARLENE ACKERMAN
SUPERINTENDENT
DISTRICT OF COLUMBIA PUBLIC SCHOOLS
BEFORE THE SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA
COMMITTEE ON GOVERNMENT REFORM
US HOUSE OF REPRESENTATIVES
AUGUST 26, 1998 - PANEL TWO

Mr. Chairman, I am Arlene Ackerman, Superintendent of the District of Columbia Public Schools (DCPS). This afternoon, I will provide the Subcommittee with an update on our progress in implementing both academic and management reforms in the District's public school system and on our readiness to open school on September 1.

As you know, I came to DCPS from the Seattle Public Schools last September. I'm sure you've heard the saying "what a difference a day makes." Well, I'd like to modify that to say "what a difference a year makes." It has been an exhausting year, filled with long days, late nights, and far too many working weekends, but I am pleased to report that we have made substantial progress in a number of key areas in the past twelve months.

Progress to Date

When I appeared before the Subcommittee in April to share our academic reform plan with you, I said that I had a clear vision for DCPS: to create an exemplary school system that prepares our students for college, for good jobs and for life in the 21st century. I said that, to make that vision a reality, we would have to focus all of our energy, and resources, on making dramatic improvement in the achievement of all students today in preparation for their world tomorrow. Working together, we kept our focus on that goal and we made steady progress towards it.

Most importantly, we saw the academic performance of our students -- as measured by the Stanford 9 Achievement Test -- improve in every grade level that was tested between spring 1997 and spring 1998. The Stanford 9 is not the only measure of performance that we use, but it is one that is easy to quantify and understand, and it shows clearly that we are moving forward.

The progress we've made so far is the result of hard work -- by students, teachers, school and school district staff, parents, and other committed members of our community. I want to be sure that we acknowledge their efforts fully. We also know that we made progress because we had a clear plan to improve student achievement and we implemented that plan.

First, we set *clear standards* for student performance. We said to students, teachers, and parents: this is what we expect children to know and be able to do. We used the Stanford 9, which is aligned with our standards, as well as some other tools, to determine how much progress students made during the school year. We told students who did not meet

the standards that they would be required to participate in our Summer STARS program and that they might not be promoted to the next grade in the fall. In addition to Summer STARS, we also provided students with a wide range of supports during the school year -- including before and after school tutoring, Saturday academies and other opportunities for extended learning -- to help them reach the new, higher standards.

I think the outstanding response we had to the Summer STARS program -- which attracted almost 25,000 students, the majority of whom attended voluntarily -- is reflective of how seriously our students, and their parents, are taking the new standards. It was truly exciting to me to see so many young people spending their summer working to improve critical reading and mathematics skills. In fact, I believe that this program is one that other school districts will want to replicate.

Our second priority was *accountability*. We held people accountable, across the system, for student performance. We instituted a new principal evaluation system in which fifty percent of a principal's evaluation was based on student achievement. Every principal in the system was expected to improve student performance, and some schools were required to increase test scores by ten percent. Based on results of the new evaluation system and attrition, I have named new principals to 39 schools for the coming school year. In addition, two schools are being reconstituted, meaning that a new staff will be put in place and a research-based reform model will be implemented there.

My third priority was *professional development*. I know that people must not only be committed to success; they must also have the skills they need to succeed. During the school year, we provided focused professional development for principals and teachers on standards, curriculum, instructional strategies, and class management. In addition, in preparation for the coming year, we just completed a week-long conference for principals, teachers, school system staff, parents, students, and members of the community. We invited parents and community members to the conference for the first time this year, because we know that they are a key part of our team and that we need their help to succeed. The conference covered a wide range of issues, from standards-based education and our school-to-careers effort to teacher appraisal and fiscal management.

Finally, we made a concerted effort to *engage the public* in our plan. We asked parents to be involved in the education of their children both at home and at school and we tried to give them the tools they needed to do that. We held meetings for parents and others in the DC public schools family to discuss the test scores, the new standards, the promotion guidelines and summer school. We published substantive newsletters on the new reading and mathematics standards and the Summer STARS program, provided targeted training for parents on reading, mathematics and the Stanford 9, and asked members of the business and faith communities to participate in Everybody Reads and other tutoring programs. I truly believed that this community would get behind our reform effort if we talked to people about it and asked for their help, and they did.

Moving Forward in School Year 1998-99

We have gained real momentum and we intend to keep moving forward, and reaching higher, in the coming year. In preparation for the our September 1 opening, we have taken a number of key steps. As I mentioned earlier, I have appointed a number of new principals to schools throughout the system. In addition, we have hired over 100 new teachers to replace teachers who have left the system or did not possess valid teaching certificates. All teachers will report to work tomorrow and will spend the next three days

working with their principals to develop their instructional plans, learn how to analyze standardized test results and shape student instruction accordingly, and study the new standards.

We are using a new staffing model to staff schools that will ensure that teachers are assigned to schools where they are needed and that resources are distributed across the system in an equitable manner. We have developed school-by-school budgets to show all of our stakeholders how the system's resources are being spent. We have taken the necessary steps to close the budget deficit we experienced in fiscal year 1998 -- including a reduction in staff of over 600 -- and we are finalizing our FY99 budget now.

This week, we are holding an open enrollment period for all DCPS students, at which they will be required to prove that they are residents of the District of Columbia. As you know, while DCPS' official enrollment was validated by an independent auditor last year, concerns remain about the number of non-residents who may be attending our schools. To address this concern, we approved a strict new residency rule, and I have appointed an experienced educator from the New York City schools to enforce the rule.

In addition, we have ordered approximately $5 million in new textbooks, the vast majority of which already have been delivered to schools, and given each school $500 worth of supplies, in addition to any they already ordered, to ensure that classrooms are well-stocked on September 1. We have submitted our application for $3 million in discounts under the newly established Universal Service Fund, which supports the expanded used of computers in the classroom. We have applied for almost $75 million in federal grant funds and have received about $60 million of that to date. Finally, we expect to receive an additional $2 million in School-to-Work dollars any day. We are prepared to release Title I dollars to 109 of our schools by August 26 and will distribute funds to the remainder of our schools by the end of September.

Finally, as I stated earlier, the system's school buildings will be ready for school opening on September 1, and thousands of students will return to buildings with new roofs, new chillers, or where work is underway to replace dysfunctional boiler and windows.

Conclusion

In short, we are looking forward to another successful year. We intend to continue reaching higher, and helping our students to reach higher, in the weeks and months to come, and we look forward to your continued support in this effort.

Mr. DAVIS. Thank you very much. Let me start by asking about the Stanford 9 scores, how much have they come up over the year before, or were the same groups tested? Are we comparing apples to apples?

Mrs. ACKERMAN. We compared results from the same grade levels for both years, in reading that was grades 1 through 11, and in math it was grades 6, 8, and 10.

We also are making available to all of our stakeholders school report cards that will show the improvement of individual schools, grade by grade, as well as performance in all grades, so that they can begin to understand the baseline data from this year for students in the grades that weren't tested last year. We will use this baseline data to evaluate our progress next year.

Mr. DAVIS. So this will be the first year we really will have a baseline to measure against in a meaningful way?

Mrs. ACKERMAN. This will be the first year that we will have baseline data for all of our grades tested in both reading and math.

Mr. DAVIS. Yes; that's fine. You know, you have inherited a system that didn't always have tests administered regularly and uniformly throughout the system. That has been one of the difficulties in trying to show that scores were improving, because there weren't a lot of statistics that were uniformly kept, whether it was crime or violence statistics, or as you say test scores that you could really compare. So, I am not trying to criticize anybody, I am just trying to understand where we are.

I also don't expect in 1 year to see rapid changes throughout, so this is a very gradual process, as you know. You have to consider people's expectations in line with what can be delivered, but that is the trend we want to see.

Were all schools up for testing or was it mixed?

Mrs. ACKERMAN. Almost all of our schools showed progress in at least one of the two areas tested. That is in either reading or math. The majority of our schools showed progress in both reading and math.

Mr. DAVIS. OK. Now, as I understand your testimony and the GAO chart that talks about the number of applied grants, you would like to have applied for all of these grants, if you had the resources and were staffed to do them; is that fair to say Mrs. Ackerman?

Mrs. ACKERMAN. Absolutely; if they were aligned with where we are putting our academic focus. That is the other thing that must be considered. I have worked in other school districts and we never applied for all of the grants; we applied for those grants that we thought would support where we were headed in terms of our academic goals.

Mr. DAVIS. Just so we understand that we are comparing apples to apples here, it is your testimony that $75 million out of $80 million that you were eligible in grants to apply for, you applied for how many?

Mrs. ACKERMAN. Right. We were eligible to apply for $74,919,000.

Mr. DAVIS. I am not trying to trap you or anything. We want to work with you, but I just want to understand what the facts are, and then we can go forward. We are not trying to put anybody on

the defensive. You have only been in this position for a few months. So if I can provide that perspective—OK—we are just trying to understand what the facts are.

Basically, what you are saying is that of the 26 grants that were not applied for, that the maximum total of those grants the city could have received, had they received all that they were eligible to apply for, was only $5 million?

Mrs. ACKERMAN. There was $5 million more that we could have applied for. So we applied for $75 million, out of $80 million total that was available.

Mr. DAVIS. But you can see the white area: 26 grants were not applied for and that is quite a big chunk. But you are telling me that basically, if you took all of the eligible grants, according to the information that you have been given, that if you were to apply for all of the grants the city was eligible for in those areas, that it only equals $5 million?

Mrs. ACKERMAN. It would be $80 million.

Mr. DAVIS. And you applied for $75 million, so that's $5 million?

Mrs. ACKERMAN. Right, that's right.

Mr. DAVIS. Ms. Joyner, is that accurate as far as you know?

Ms. JOYNER. I have not seen this figure before, so we have not had a chance to examine it or look at the supporting data for it. From our perspective it would be very hard to arrive at that figure of $5 million, or any figure. The amount of funds that could be obtained through those 26 programs is not readily available.

Much of those are not formula-driven programs, they are project-driven. So, any one of those programs might actually have within it multiple applications, and what we mean by "project grants" rather than "formula grants" would be, for example, the department might put together a proposal to obtain funds for a particular kind of program that they like to operate in 1 school or 5 schools or 10 schools, and so of course the associated amount would be different.

So, I really could not comment on that $5 million. I would need to see what—how—what assumptions had been made. Basically, the only way to arrive at a dollar amount for those 26 programs would be to make a variety of assumptions: how many different proposals they might have chosen to put in, and how many of those would have been at the dollar amount that was possible, and that sort of thing.

Mr. DAVIS. I understand two of the areas that were not looked at were Even Start and bilingual education; is that right?

Ms. JOYNER. That's right.

Mr. DAVIS. Any other larger ones?

Ms. JOYNER. Well, most of these—none of the special education programs were applied for during this year. So two of the special education programs actually had some funds received, but that was a carryover because of the applications in previous years, so there were six special education programs that were not applied for. I can't say, again, the dollar amount for those, but that is certainly one area that comes to mind.

Mr. DAVIS. Mrs. Ackerman, let me just say I am not trying in any way to put this on you or any particular individual. We know the resource problems that you and your predecessors inherited so

I am not trying to lambast anybody. But I think we have to be candid about how we allocate resources, where we fall short, so we can come back and try to correct them in the next year. Then when they put up the chart next year, we can go and use this as a reference point. We have no reference point to say we might have applied for a lot more grants this last year than you did the year before. So please understand when I am asking questions, we are not trying to embarrass or say you are not doing a good job, because we are seeing a lot of good things coming out of this.

This subcommittee has to get the facts out. You need to be honest about where we are, and that is the only way we can make an evaluation. You have been very good in terms of some of the innovations you have made and some of the difficult decisions you have made.

So, if we can communicate in that way and understand it, it seems to me, had I known they were going to come up with only $5 million, then that looks frankly a little cooked. But I am going to ask you to meet with the school system, look at their evaluations, and if you could get back to this subcommittee in terms of what you think the amount is, we can, at least, be dealing straight up with each other in terms of what those numbers are. Again, not in the sense of criticizing, but we have no need to cover anything up. If you missed it, you missed it.

Given the other priorities you had, you received a lot of grants; you did fairly well, given the fact you had a lot of competing priorities out there in a system where trained people are competent in doing things so you cannot spread them across the system. So, I understand you set priorities as to which grants to go after, and it looks like it was most of the major ones. You had a fairly good success rate with the grants that you went after, too, which shows that everyone understands the needs of the school system and the fact you do have some people that know how to write grants at the same time.

Do you want to respond to that?

Mrs. ACKERMAN. I agree with you, and I certainly would like to work with the GAO on this topic.

Mr. DAVIS. This is not a "gotcha," but I do think sometimes information comes to you from further in the ranks and you have to deal with the knowledge that is before you. We have the same problem, and sometimes I don't get the whole story, or I get a slant or an opinion that may not be accurate as it may not be all the information.

I have a suspicion in this particular case that that is what we are dealing with, and that is OK, as long as we can sit here and all work from the same sheet of music, and when we work next year, we can continue. Maybe you don't have the resources to get everything done next year, but let's admit it, and move forward. Let's try to keep those test scores rising, let's keep the principals challenged, let's keep the training going, things that the school system hasn't seen on a consistent basis in a long time, and be candid. This is a very difficult job.

Mrs. ACKERMAN. Well, I heard of two that I certainly would like us to look at: Even Start, because it certainly is an early childhood

program that if there are moneys out there and we are not taking advantage of, that is one. Then the other one is special ed.

Mr. DAVIS. Sure. We could work together and we can benefit. I would just say last year in the subcommittee, there were some proposals that came out of the subcommittee hearing in terms of how you can count residents that have been successful in other urban areas, and we suggested you don't need to reinvent the wheel. You implemented it, you went ahead and you did it, and that is what this is, where we can virtually learn and improve and keep getting better. We have a long way to go and we recognize that, but if we are moving the ball down the field in the right direction, then we are accomplishing something and that is a lot more that has been done in some systems and maybe in this system for a while.

Mrs. Morella.

Mrs. NEWMAN. Just one quick thing, because I am concerned about the sensitivities in Washington. As a matter of fact, they did apply for many bilingual education projects. It was just this particular one, because there has been some sensitivity that the school system has not been as sensitive about bilingual education, and I did not want it left that——

Mr. DAVIS. That they were not applying—they may not have applied for all of the bilingual grants——

Mrs. NEWMAN. But they did apply for a large number of them.

Mr. DAVIS. Ms. Joyner agrees, so it is good to get that into the record.

Mrs. MORELLA. I agree that the purpose of the hearing is to look at what more can be done, what more can be achieved. Mrs. Ackerman, we are here at the beginning of a new adventure, and we wish you well and know you will proceed well.

One of my other committees, the Science Committee, has basic science which deals with the National Science Foundation. I remember I was troubled and appalled to read in the paper back in 1996 about the fact that a grant that had been given to the District of Columbia by the National Science Foundation was withdrawn, and I thought that is so unusual, and that was like over $13 million. I then began to scratch my head about what is happening when they cannot even fulfill the requirements of a grant that they need so very badly.

So, I think that is kind of the background that the GAO study built on in terms of what is happening with regard to what we are voting for and you are not using, and you being in the best position to do it. So I—what I am hoping and what I am going to ask you is, what is now being done to pick up on the recommendations of GAO?

And incidentally, I didn't—you know, when you look at 26 grants not applied for, that is over one-third of the number of grants that the District of Columbia could apply for. And to hear that that is probably $5 million, you now—it doesn't sound like it is proportionately that much, because it was like over one-third you had not applied for of those that you would have been eligible for.

But I am curious particularly about what you are doing to make sure that you have in order the facilities, the oversight, to be able to implement further grants so that you can expand even further.

Along with that, how is—maybe you could tell me how the grant program is currently managed and how it is administered?

Mrs. ACKERMAN. OK. There are a couple of questions there and I want to make sure I get them.

One, what are we doing now? I think the first thing we have had to do is to be clear about where we will put our focus for the next few years. Last year the focus was on reading and math and particularly raising our achievement levels there. It wasn't excluding the other subject areas, but certainly starting there as a critical point. This year we put in content standards in reading and math. This next year, this new school year, we will put pilot new content standards in science and in social studies, so that will be two more areas that we will focus on.

I am pleased to say to you that we have already begun discussions with the National Science Foundation and we are looking at the possibility, with other interested parties across the city, of implementing a planning grant to support a renewed emphasis on science. Those discussions are already underway. I have had at least three meetings with the NSF leadership, and they have assured us that they are interested in revisiting this with us. In the future, science will be an area that we will certainly focus on and where we may want to apply for additional grants.

The other question that you asked was related to how are we organized. And I can tell you that a year ago when I came into this position, the grants department was an absolute mess. We have worked very diligently with the Department of Education to resolve the problems in the department. We have reorganized the department and appointed a new director for categorical programs and grant development.

We have tried to identify competent staff who can write grants. Grant writing is a special skill and you need competent people to write grants that eventually get funded. So we really started by focusing on cleaning up some of the major problems related to our grants development process, but I do believe that it is an area that we need to continue to focus on. As I said before, we have worked very closely with the Department of Education to ensure that we are submitting high quality applications for some of the major grants that school districts get.

Mrs. MORELLA. Let me pick up on something that was in the GAO report. They also included in their statement a reference to a self-assessment of grant management in DCPS that KPMG Peat Marwick did for DCPS, which concluded in January of this year that program managers do not adequately monitor their program's financial activities.

So I would ask you, has this been addressed?

Mrs. ACKERMAN. It is currently being addressed. Our grants department is working now much more closely with our financial staff. Part of the problem that I have found in working with this issue and other issues around the school system is that departments have worked in isolation, when they needed to work together. In this case, the grants department was working with the grants department, parallel to the finance department; and they were not talking to each other. So we have opened those lines of communication, so that the grants department is working now with

the finance department to monitor grant spending and developing and putting in place strategies, where it is appropriate, to address our spending habits.

We have also started the process of really reconstituting the grants department. When I arrived there were a lot of people in that department, but not necessarily people who were competent to give us the information that we needed or to do the job we needed in terms of grant development. We brought in a new director from Washington State, who brought with her a national reputation. I know it will take a while for her to get this department where we want it to be, but I think we are making substantial progress in this area.

Mrs. MORELLA. Do you have any obstacles or problems or concerns when there are grants that require matching moneys? Is that something you have factored into this whole grants concept?

Mrs. ACKERMAN. Yes; there certainly has been a problem with that this year, and as we look at the grants we hope to apply for next year, we will have to make sure that we have the matching dollars in place where they are appropriate. It is still too early for me to know that. I am still sort of unraveling the issues related to the grants department, and hopefully the next time we meet I can give you a clearer answer there.

Our grants person is here, so I might ask her to come forward.

Mrs. MORELLA. Would you introduce your grants person?

Mrs. ACKERMAN. Sure. This is Dr. Elizabeth Beach.

Mr. DAVIS. May I just interject here, Mrs. Morella? In the GAO report, some of the reasons that were given by your staff for not applying for these grants were lack of staff. It wasn't that the money couldn't have been used.

The fact is that some of these grants are not under the direct stewardship of the school system, so that may mean we need to do more in coordinating between the different levels and layers of government. I recognize you are trying to just keep your head above water with everything going on now.

But this is a great way to add value, as you have noted yourself. I think the $5 million figure is probably out of the air, so we are going to find more of that. But more importantly, we can do a better job of working toward this in the next year. This is an area in which we hope to improve. Given our limited resources and attempts to keep the schools repaired, this is where we felt the priorities were, and I can certainly understand that.

Mrs. MORELLA. Dr. Beach, how long have you been——

Mr. DAVIS. I have to swear her in before she testifies.

[Witness sworn.]

Mrs. MORELLA. I just want to ask you how long you have been in the job, and any comments you would like to give in light of the fact that we have had the GAO report and the comments about—the Peat Marwick assessment and where we need to go.

Ms. BEACH. I have been on the job 11 months, and it has been 11 months of discovery. We have been working very closely actually with everyone that does grants, with the GAO, with Peat Marwick, with the Department of Education, and what we have is a lot of information to make forward changes that Mrs. Ackerman mentioned.

We are needing to put some systems in place and we are starting to do that. As Mrs. Ackerman said, we are sort of cleaning up some of the things that we found when we arrived and still moving forward.

I want to just add that some of the grants are also very competitive. A good example would be the Javitz Gifted and Talented grant. They only give four in the country. Right here, without a plan, a long-term plan, we didn't feel that we were competitive, so that is like one of those choices.

Mrs. MORELLA. So that would have been 1 of the 26, is that it?

Ms. BEACH. Yes. So there are a number like that. We applied for—we did not receive all the grants we applied for, and right now we are still waiting to hear on about 12 of them.

Mr. DAVIS. Mrs. Morella, if you would yield please. The one thing we are not trying to do here is to say if you touch something and it is not 100 percent, and it is 95 percent or 90 or even 80 percent, that therefore you must shy away from it. We are not trying to say that at all.

We do have a responsibility, an oversight responsibility to keep everybody on their toes, to recognize where the shortcomings have been in the past and how we can continue to improve. So, we are glad to have you on board. We appreciate the very difficult time you must have in deciding, with limited resources, which priorities you can establish and go after. In an ideal world you clearly would do better by going after some of these 26 areas, if you had had time and hindsight, correct?

Ms. BEACH. Yes; some of them we would.

Mr. DAVIS. We could have done that, and next year we will do better, but we have a responsibility as well as GAO to continue to ask these kinds of questions because it has been a long time in this city since some of these questions were asked.

Ms. BEACH. And it helps us with our discovery, another set of eyes.

Mr. DAVIS. It gives you a portfolio, when you make a call for some resources to help put it together that somebody is pushing you, I hope. We are trying to do this in that kind of manner. Thank you.

Mrs. Morella.

Mrs. MORELLA. I just want you to keep us apprised of what is happening, and maybe if there are some things that we can help with in some way in our capacity, I think there is a great need to utilize all you can that is offered by the Federal Government. We wish you well, Dr. Beach.

I have a number of questions.

Mr. DAVIS. Go ahead.

Mrs. MORELLA. I want to ask about charter schools. Reading the paper, I hear about the fact that so much in the way of facilities may go into it, resources may go into it. Mention was made in the testimony that we have to be very careful that teachers are not leaving our public school system to go into the charter schools. There are 17 new charter schools coming up. Oversight is going to be very important. And then I hear about a moratorium suggested on charter schools. Are we moving too fast in that direction?

Would you like to comment on the resources that are going into it? Are you concerned about it? I know that charter schools have great opportunities attached to them. Are we giving enough oversight? It is an open-ended question.

Ms. HARVEY. I would like to speak briefly to the issue of charter schools. The elected board of education, one of its main authority mandates is that of charter schools. We strongly believe that the charter school movement is one that can enhance public education in our city.

However, I do believe very strongly that we need to look carefully at various models as we move toward the continued investment in charter schools. We have had some growing pains as the body that instituted several charter schools, from the one starting the charter schools up to the one actual revocation of a charter school.

So, I do believe if we are not careful, it is alarming to find that some of our principals and some of our teachers are moving to the charter school arena and leaving the D.C. public schools in kind of a lurch. The staff in the D.C. public schools, the senior staff, because they are eligible for employment, the opportunities for charter schools will provide them additional resources.

I do believe that the board of education will in the new fiscal year bring on a board of directors for the charter schools, and administrative staff. As we bring on the additional charter schools, that will take place.

Mrs. MORELLA. Should there be a moratorium on them?

Ms. HARVEY. It is my recommendation that there should be a slowing down or a moratorium on charter schools so we can get an assessment of charter schools. I also think that we need to look at the various models around the country as to the types of charter schools that are in place.

For example, I talked with a gentleman from Texas. There are several models that have a State charter school program, and there is a charter school program where there is an advisory type. We need to revisit the legislation and the mandate placed on the D.C. public schools as we move into the charter school arena.

Mrs. NEWMAN. I would like to speak to this.

First of all, I think we all need to think about the necessity for reform of the public school system, and there are two ways that this is going about right now: the work under the leadership of Arlene Ackerman, which is extremely important; but also I think there is recognition that the charter schools can bring to the system a great deal in bringing about innovative ways, because there is more flexibility in the way that they can operate and test programs.

So, I think that everybody who is concerned about the public school system wants both reform efforts to work, and what this means in this period is that we need to look at what are the guidelines that need to be put into place. What are the barriers to having reform take place in a logical way and through both systems? And we need to pull together best practices from other jurisdictions.

I am saying all of that to say that I have heard people talk about a moratorium. I think that before we even decide about a moratorium, we need to look at the practices in use here now. We need

to look at what has been the impact of the 19 schools on the school reform effort of Arlene Ackerman, and then decide what is the speed with which the city can handle both reform movements.

I am not sure that today we could say to you we need a moratorium. I think it is an issue that we need to explore. More importantly, I think we need to look at where we are, what are the guidelines that will stress, not hindering either process, and be honest about the impact on the reform efforts of the teachers moving because there is a greater ability to pay at a higher level.

But beyond that, I just want us to be careful, all of us be careful, not to be afraid of the change and not to be afraid of the fact that there is some disruption. We just need to manage it.

Mrs. MORELLA. You know, you reminded me when you spoke, when you said particularly "all of us," we have like four layers that deal with the school system in the District of Columbia. We have the control board. We have the elected school board. We have the appointed school board. We have the parents' group. The superintendent.

In your opinion, and I will address this to whoever wants to answer, do we have just too many different forces out there in terms of working together, too much oversight? Do we need oversight of the overseers? Has it been helpful or not? Can you give an assessment or is it too early for an assessment?

Mrs. NEWMAN. I have a feeling what Arlene Ackerman is going to say, and Wilma.

Let me just say that yes, there is during this period maybe too many people involved in oversight, if that oversight turns out to be micromanagement. If the oversight is proper, which is policy development and sharing of ideas about the direction of the school system, maybe we do not have too many.

We need to recognize that this is transition. And I say transition because right now there are some very fruitful and delicate discussions going on between many of the parties to determine whether or not there is not another structure, and we are trying to wall off the efforts of the superintendent now so that the school system does not have to slow down its efforts because all of us who are trying to be helpful are intervening unnecessarily.

So, I am not sure that the school system has been damaged. In fact, I think it has been very healthy that so many people have been involved because the system really was broken. Now we have to decide how do we put this back together and have it governed in a way that is useful to the superintendent in the leadership of the schools.

Mrs. MORELLA. Your assessment is that this is transitional?

Mrs. NEWMAN. Yes.

Ms. COOPER. We are the board of trustees. We are here for a limited period of time. Year 2000, June, is the sunset of our existence. The discussions on the transition are taking place now relative to the trustees and the board of education. But more importantly, there are other layers of bureaucracy that Arlene has to deal with. The question is who is driving policy direction and who is micromanaging.

We view our role as policy recommendations, recommending things like the disciplinary guidelines and the sale of properties.

All of those things come through the trustees to the control board for final decisionmaking. We make sure that, to the extent possible, we buffer the superintendent from those matters that do not deal with the core mission, that is, educating our children. So our role is very specific, it is short-lived, and again, it is policy recommendation and not micromanagement.

Mrs. MORELLA. You all get along together?

Ms. COOPER. Yes. I live in the ward in which our board of education chair lives and works.

Ms. HARVEY. Ms. Cooper lives in Precinct 40, if I am correct. However, as a member of the elected board of education, we do feel very strongly that the timeframe is quickly approaching in the legislation that was passed under the authority.

The board of education is very much concerned about the period of transition. We believe that the period of transition needs to start as quickly as possible so that by the time the board of education returns to full power, we have a board of education that is clearly defined and the public will understand, and we can continue to move toward the directions in which Mrs. Ackerman and her team and future superintendents will be able to take, because we believe very strongly in an elected board of education because we are directly responsible to the constituents in the various communities throughout the city.

Mrs. MORELLA. I am going to thank the chairman for giving me this time, but I do want you to know that I have gotten from the Internet the achievement ratio or statistics about some of the schools in the District of Columbia, and one of the most appalling is one of the high schools where it has the percent of students lacking basic academic skills, 96.3 percent. And the average in the school system in the District of Columbia is 58.6 percent. The percent with basic skills is 3.7 percent. The percent proficient or advanced is 0 percent, et cetera.

I point this out, and I don't need to go through each school, simply to say that you have a tremendous challenge. And for the future of our country, we hope that we can help you and you continue to try to meet this challenge because it makes all the difference. I thank you.

Thank you, Mr. Chairman.

Mr. DAVIS. I have questions in a couple of areas. One is special education, which I will get to in a minute, and the other is the surplus property and how we dispose of it. I will ask Ms. Cooper, who is familiar with this because the advisory board of trustees makes some of the decisions.

What are the criteria for disposing of property? The law allows charter schools to have a crack at it. What are the criteria for how you evaluate proposals?

Ms. COOPER. One of the criteria, obviously, is the actual sale, how much money will inure to the benefit of the D.C. public schools.

Mr. DAVIS. Is this one of the criteria?

Ms. COOPER. That is one. Another is community concerns: What does the community feel about the proposed use of that property?

Mr. DAVIS. So, if the community wants a park which generates no revenue, you would leave it as a park?

Ms. COOPER. We would look at it. You asked me what were the criteria. There is more than one. One is the dollars. Another is community use. Another is also long-term benefit to the District. We look at a number of factors to make sure that we get the best deal out of this property.

Mr. DAVIS. How do you define the best deal if it is not done in dollars and cents?

Ms. COOPER. That is part of it. For example, the school that the Urban League occupied, will be going to a charter school.

Mr. DAVIS. Excuse me. A charter school is statutory, is it not?

Ms. COOPER. After a bid has been placed, let us just say it is $1 million, a charter school can come in with a charter preference and get the school for $1 million minus the 15 percent.

Mr. DAVIS. But that is statutory regarding the discount?

Ms. COOPER. In that instance the community liked the idea that that building be maintained as a school and also felt that there was some historic significance to the building. Again, we do defer in many instances to not only the money aspect but the community concerns as well.

Mr. DAVIS. So they can outweigh the financial aspects?

Ms. COOPER. It depends what those concerns are. If someone says, "I like to sleep all day and I don't want a school there," that to me is not given the same weight.

Mr. DAVIS. There are no valid criteria. A bidder who comes in for the acquisition of a school may have the best financial deal, but they may not get it because the community may not find it compatible or the city may have some other use for it?

Ms. COOPER. There is some subjectivity in this. Every factor cannot be given in a weighted number. We look at all factors and discuss them. As you know, our meetings are open and we do discuss the sale of our properties.

Mr. DAVIS. My concern, to be candid, is I think at this point given the city's procurement history of dealing with issues like surplus property, that this group, appointed by the financial control board, is basically looking at the finances, and that ought to drive the deal, and that doesn't seem to be the case. That gives me some concern.

Ms. COOPER. I totally understand your point. When we came on board, the school system had not sold a single property. The law was passed in 1990 which stated that any sales of surplus property would go to the rehabilitation of our existing school system. They had not sold a single school.

We came on board, and you heard the earlier figure, $12.7 million from the efforts of the new trustees. Our goal was to indeed bring in as much money as possible but also to listen to the community. As a matter of fact, we were accused initially of selling schools without the benefit of community input, which is interesting to hear. Now we are just selling schools for the bottom dollar.

If that were the only criteria, we would not be needed. All you would have to do is put the school out for bid and whoever the highest bidder was, they would have the property.

Mr. DAVIS. That is what GSA does.

Ms. COOPER. Again, that is not our charge. It may work for GSA.

Mr. DAVIS. What is your charge?

Ms. COOPER. To look at the various criteria.

Mr. DAVIS. And the charge was given to you by the control board?

Ms. COOPER. Yes.

Mrs. NEWMAN. It is true at the outset that we were looking at a record of schools sitting here vacant for years without being sold.

Mr. DAVIS. Mrs. Newman, part of that is because communities didn't want to move, elected bodies didn't want to move, and they didn't want to face the change when that school goes away.

Mrs. NEWMAN. I understand that. Then what happened was pressure on the part of the authority to sell the schools.

I will say to you, Mr. Chairman, that I have been in some very tough discussions with people in the community and their representatives with regard to our lack of sensitivity about the impact of the sale on the community, the impact being a feeling that we were not taking into consideration the long-term economic benefit of certain kinds of activities within the community. They felt at the outset that we were not asking them what they wanted in the community, that all we were doing was looking at the bottom line.

Now, the bottom line when the recommendations come to us, because ultimately we do decide, when the recommendations come to us the bottom line has great weight, because that money has to go back into the infrastructure and we are far short of what we need. But we are asking the staff to try to give an analysis of the long-term economic benefit of a particular proposal within a certain range.

Now, what we do need to do, though, and I——

Mr. DAVIS. That makes it tough on a bidder, doesn't it? It also allows for political manipulation if you have bids that are close and if the criteria are not tightly drawn.

Mrs. NEWMAN. We need to be clear at the outset on all of the factors. We need to have bidders' conferences so people understand what it is that the community will value in that particular community. We need to be open so that everybody bidding understands what are the factors taken into consideration.

Mr. DAVIS. Let me give an example. In a private transaction, where property is exchanged all of the time over the counter between a willing buyer and willing seller, in those particular cases there are uses that are controlled by zoning, and the communities over a period of time have had use and control over the uses of that through the zoning laws made through their elected representatives.

I assume that you have those controls in check here; that the schools have zoning laws, and it seems to me—I will direct this if I could to the head of the Advisory School Board—it seems to me if the use that the property is being sold for is in accordance with that zoning law, that that should be compatible with the community because they have in fact set the zoning laws over a period of time.

Ms. COOPER. But you and I both know that hearings are often held to change or to modify zoning.

Mr. DAVIS. What, wouldn't that be before you go out and bid?

Ms. COOPER. But that would not be our role.

Mr. DAVIS. You have to dispose of the property. You can't say—you may do this, but if they decide to change the zoning, I mean, the zoning is in place and if you dispose of the property, you take the zoning as is and you sell it?

Ms. COOPER. If a person comes in to bid with an inconsistent use and it may take years to change the zoning, we look at that as well.

Mr. DAVIS. Let me get this on the record. If someone comes in with a plan which would need a zoning change, that is a mark against them?

Ms. COOPER. We look at that to make sure that that does not interfere with us getting the money in quickly. What does that zoning variance mean to us getting that dollar into the school coffers?

Mrs. NEWMAN. Mr. Chair, I think her viewpoint——

Mr. DAVIS. She makes the determinations.

Mrs. NEWMAN. She does not.

Ms. COOPER. It is the Control Board. We make a recommendation.

Mr. DAVIS. She makes a recommendation based on that criteria. And when you review their recommendations, you want to make sure that she adheres to what she has just said?

Mrs. NEWMAN. Yes, but we have the staff go back and do an analysis. We do not automatically accept it.

Mr. DAVIS. I would hope that you would not.

Mrs. NEWMAN. OK.

Mr. DAVIS. But you would agree with me as the head of the Advisory School Board that a bid that comes in that is compatible with existing zoning should have some advantage over a group that would need a rezoning of some sort?

Mrs. NEWMAN. I think you have to look at the full——

Mr. DAVIS. Of course. All things being equal? All things being equal, one bid has it under current zoning, one bid does not and would need some zoning, who would have the advantage?

Mrs. NEWMAN. I am not comfortable saying yes or no.

Mr. DAVIS. This is an important issue so I am going to push this. Everything else being equal, that means price, timing, compatibility.

Mrs. NEWMAN. Same use?

Mr. DAVIS. It would not have to be the same use. Everything being equal, in terms of compatibility, if one needs zoning and the other one does not, clearly the one that does not need zoning would get a preference? Their price may not be as good, but all things being equal?

Ms. COOPER. I have trouble with the analysis.

Mr. DAVIS. But I am asking Mrs. Newman now.

Ms. COOPER. All right.

Mrs. NEWMAN. I am not comfortable, Mr. Chairman, automatically saying that.

Mr. DAVIS. There is no advantage for them having zoning versus not having zoning?

Mrs. NEWMAN. There is an advantage, but I am not prepared to say that the one with the zoning would automatically——

Mr. DAVIS. I don't expect you to say that.

Mrs. NEWMAN. The money would come in easier and faster.

Mr. DAVIS. It is not a trick question.

Mrs. NEWMAN. I am not being tricky.

Mr. DAVIS. You just want to understand what I am asking.

Mrs. NEWMAN. That is right.

Mr. DAVIS. To the extent that you have a use that would put money on the tax rolls versus a use that may not put money on the tax rolls, do you have set criteria on that?

Ms. COOPER. We look at the money that will come in quickly to the city.

Mr. DAVIS. Thank you. You have answered my question.

Now, let me ask this next set of questions. We are interested in the status of the special education program, and I wonder if you can describe the current process for identification, testing, assessment, IEP development and placement of the students with special needs? Either one of you.

Mrs. ACKERMAN. You have asked me to do something that I don't know that I can do well and do well under oath.

Mr. DAVIS. We are only trying to get your best guess and estimate, that is why we swear you in. We know that these facts are fluid.

We had the chief of police up here, where we asked him about the year 2000 problem and he said, "We have it under control." We said, "Wait a minute, you may not want to say that," and he went back and checked and said, "We may have some problems." This is not a "gotcha."

Mrs. ACKERMAN. I really do need to confer with my staff, to talk about the steps. Tell me again, you are asking the steps——

Mr. DAVIS. The process for identification and the testing, the assessment, IEP development and placement of students with special needs; what is the current process for that?

Mrs. ACKERMAN. Excuse me just a second.

The parents file a form 6 requesting that a multidisciplinary team test the student, and after the testing, an IEP is developed and then students are placed.

Mr. DAVIS. What is the line of authority as it relates to the management and oversight of the special education programs?

Mrs. ACKERMAN. At this point the deputy superintendent is the person responsible for oversight in that area. We are in the process now of looking for an executive director. We have put in place a director of program development. That person began her job on Monday. We have a director of assessment; and then we have a vacancy in the position of director of technical compliance. This person will manage all of the technical compliance issues that arise under the Individuals With Disabilities Education Act and the various legal decisions affecting DCPS' special education programs.

Mr. DAVIS. Are you familiar with the Mills language?

Mrs. ACKERMAN. Yes.

Mr. DAVIS. If the proposed Mills language is adopted, which would extend the timeframe permitted for evaluation and placement of students requiring special education services to 120 days, how would this affect the current backlog of students awaiting those special services?

A Federal court decision in 1972 set a deadline of 50 days for the public schools for the evaluation and placement of students. The

surrounding jurisdictions such as Montgomery County and Fairfax County, which Mrs. Morella and I represent, allow 90 to 100 days before placement, deadlines we often exceed, so you are operating under some very strict deadlines.

That is why we would look perhaps for a legislative solution, and I want to know what the effect of that would be. What kind of action would we need to extend that deadline from 50 days, if we can do that statutorily, and would that help your situation? What would this do to the backlog?

Mrs. ACKERMAN. It would certainly help us with the backlog. When I came a year ago, we were assessing at the rate of 50 students a month. We are now up to 350 per month, but we are still behind. As you know, this backlog results in a very large number of out-of-District replacements. As a result the amount of money we spend on private school tuition for students who got these assignments after we missed the 50-day time line has increased substantially.

Mr. DAVIS. How much of the current annual DCPS operating budget is committed to special education?

Mrs. ACKERMAN. About a fourth of the budget.

Mr. DAVIS. How much is spent on legal fees?

Mrs. ACKERMAN. Our current estimate is $5 million. A few months ago when I was looking at this, the number was $3 million. Now it is about $5 million. However, the total for fiscal year 1998 will be higher than this.

[The information referred to follows:]

DISTRICT OF COLUMBIA PUBLIC SCHOOLS
DIVISION OF FINANCE
SPECIAL EDUCATION UNIT
SUMMARY OF EXPENDITURES FOR LEGAL PAYMENTS

Month to Month Analysis

Number of Months	Payment Month		Expenditures	Forecast	Cummulative
1	Oct-97	*Actual*	$ -		$ -
2	Nov-97	*Actual*	-		-
3	Dec-97	*Actual*	171,524		171,524
4	Jan-98	*Actual*	850,833		1,022,357
5	Feb-98	*Actual*	213,876		1,236,233
6	Mar-98	*Actual*	775,600		2,011,833
7	Apr-98	*Actual*	528,577		2,540,410
8	May-98	*Actual*	305,980		2,846,390
9	Jun-98	*Actual*	1,320,032		4,166,422
10	Jul-98	*Actual*	2,453,710		6,620,132
11	Aug-98	*Actual*	150,615		6,770,747
12	Sep-98	*Actual*	241,534	2,741,037	9,753,318
			$ 7,012,281	$ 2,741,037	

Mr. DAVIS. All of you can supplement answers to what we are asking.

How much is actually spent on placements outside of the area, and how many students does that provide services for?

Mrs. ACKERMAN. About $34 million is spent for out-of-District placement; $34 million.

Mr. DAVIS. That is out of the District of Columbia?

Mrs. ACKERMAN. Right.

Mr. DAVIS. Some of that is done in my district and Mrs. Morella's district?

Mrs. ACKERMAN. That is correct.

Mr. DAVIS. Any idea how much is outside of the metropolitan area.

Mrs. ACKERMAN. We can get that figure for you.

Mr. DAVIS. How are the needs of students who are in foster care and the criminal justice system who are identified as being in need of special education, how do they get addressed?

Mrs. ACKERMAN. In various ways. There are several court mandates that we are under that will have an additional impact this next year on our special ed budget. The Lashawn Receivership, which serves children who are in foster care, will be under our jurisdiction for next year.

In addition we will take over responsibility for the Oak Hill program which services those students who are involved with the juvenile justice system. Both of these programs will impact our special education budget.

Mr. DAVIS. What is the status of available programming within the District of Columbia public school system? Is it being evaluated as to the ability to address the needs?

Mrs. ACKERMAN. Currently we need to develop more programs, which is one of the reasons that we put in place this year a person who would be responsible for program development. We are sort of in catch-22 here. We can't keep students in the District if we don't have the programs, so we have put a real focus on developing new programs more rapidly; at the same time, the money we are forced to spend on out-of-District tuition depletes our resources for new programs.

Over the last couple of months we have had an external team look at the issue of special ed, and they are making serious recommendations for how we can address some of these programmatic issues inside the District.

Mr. DAVIS. None of you created these challenges. Some of it has been court created statutorily, and it is a huge bite out of the school system. I am not sure that it has always worked in the best interests of the kids involved.

What I would be happy to hear from you are recommendations of what we might do at this level. The Mills language—well, the language in the Senate bill that we worked on with Senator Faircloth would help strengthen this. I want to get on the record we are trying to help and assist you, so don't be afraid to ask for help.

If you are spending $100,000 to send this child out of the region, that is dollars that can't be spent for some other needy kid in a classroom here. Sometimes you get some very goofy results from the myriad regulations, laws, and judicial interpretations that don't

work in anybody's interests but meet legal sufficiency. To the extent that we can give you the tools to solve that, we want to.

But that is a big chunk out of the school budget, and in school systems across the country it is a growing area of concern. But in the District you have more rules and regulations that probably adversely affect your ability to deal with this, than any jurisdiction in the country.

Mrs. ACKERMAN. The external team included people from all over the country, including Chicago, which had a serious problem with special ed within the last 10 years, and they all agree that the issues we face here are more complex than anyplace else that all of them in their combined experience have seen in their careers.

Mr. DAVIS. Thanks. Any other comments on that? If there are none, then I have a few other questions that I want to ask.

Do the public schools' plans and strategies include fostering afterschool programs that emphasize extended learning in a safe environment?

Mrs. ACKERMAN. Yes.

Mr. DAVIS. Obviously that is very critical?

Mrs. ACKERMAN. And we are working in conjunction with some of the larger community agencies and programs.

Mr. DAVIS. In defense of people who have gone before you, it is difficult to focus on some of these issues when you are just trying to keep a roof over your head and run stopgap on judicial decisions and everything else. I understand that because I was in local government for a long time, and even in the best local governments, and Fairfax is a wealthy jurisdiction, it is very difficult.

I feel from the first panel that there is some stability brought to the institutions and the public buildings are stabilized so you can focus on some of these other problems. I think your plan is all very good in terms of how you are trying to integrate your planning with the need for larger small schools. So I don't want to convey by these questions that we are not up to where we ought to be. We know that.

But we must start somewhere, and the difficulty we have had with schools, unlike crime, where we have measurable statistics and financial management, is that we have not had any apples-to-apples comparisons. Nobody kept them. In fact to a great extent it was covered up because everybody knew there were problems, which is the result of many things that go back way before any of you started in this area.

Mrs. ACKERMAN. I appreciate that, and I want you to know that I sincerely believe that you can't plan unless you have good data. I think as we put in place the new technology and encourage from the top the use of data and planning, hopefully you will see more of that and less of the timidness around using the data to plan and to be forthright about it.

Mr. DAVIS. Again drawing on my Fairfax experience, we found a lot of relationships and partnerships with nonprofits which could sometimes work very effectively, but not always. In some cases we had a whole system that we think added value to the equation.

To what extent the D.C. public schools working with nonprofits or other city organizations to provide after-school programs that

focus on academics, as opposed to just sports or other recreational activities?

Mrs. ACKERMAN. We are working with D.C. agenda, with the Mott Foundation, to look at this issue of after-school care. We have entered into a memorandum of understanding with them and we will expand those.

Mr. DAVIS. Just a followup on that. The YMCA, they have approached D.C. with an effort to develop what they call the Y Care 2000. Are you aware of this effort, and would that proposal be something that you could work with or just something that you would entertain as an option?

Mrs. ACKERMAN. I am not aware of it, so I certainly am receptive of any programs which provide our students safe havens between the time that school closes and the time that they go home.

Mr. DAVIS. Let me state for the record, and I am not suggesting that you need to do this except to look at it and give it your professional judgment as to whether this is congruent with what you are trying to do, but the YMCA of Metropolitan Washington has approached the public schools in an effort to develop and implement an after-school program called Y Care 2000. This may be a value added program where it is not going to cost the school system as much as if they tried to do this on their own. It may not meet your criteria, and I am not trying to dictate what the outcome should be, but if you can look at that and find out where that is. They have met with us and I want to make sure that it is getting the attention that it deserves which I know you will give.

Ms. Harvey, this has been a tough time for the Board of Education. Being elected leaders of this city, you have a voter mandate. Now we have an Advisory School Board because of the Control Board legislation, so you do not have the kind of authority that you had before despite the years of experience that you put in.

Our goal, at least my goal as one of the authors of the legislation, is to try to get this city fixed up and return control to the local authorities. Hopefully this has been a learning process for all of us as we move forward. But I just want to give you a couple of minutes to give your perspective on that.

We met before the Control Board legislation was passed. I think you are one of the very able school board members. Sometimes the school board did not function, not because it did not have good people, but as a group it could not make decisions with a lot of good individuals. I consider you a very able, caring and competent person, so I want you to tell us where we ought to go from here.

Ms. HARVEY. When school begins in September, I will be entering my 13th year as a member of the elected school board representing the Ward 1 area, and serving as president of the board. The last 2 years have been challenging years for a senior board member such as myself.

Also it has been a year to look in retrospect. I will be the first one to say that there were some things that needed to have been fixed in the D.C. public schools, and a lot of time I was not looked upon well in the communities for being frank about those concerns.

However, I do believe very strongly that we are at a point in time when the elected Board of Education needs to be in a serious mode of transition to return to full power. When we were here be-

fore, we did talk about a transition of the board to full power. We have presented to the Authority the board's starting points in trying to work out some kind of period of transition.

I can honestly say that I have met with Ms. Rivlin and I have found her to be very compassionate and a talkable and reachable person. I felt from our first meeting that there was a silver lining about to come because of the openness with her. I have had the opportunity of working with Mrs. Newman, and I look forward for us beginning to build the bridges that we need to build to bring the board to its full power, and that we can begin to work collectively for the children.

Mr. DAVIS. So at this point with all of the stakeholders that are here, do you feel that we are making that transition, do you feel in terms of information sharing, that you are going to be able to make a transition with the help of the Control Board and the Advisory Committee?

Ms. HARVEY. I indicated to Ms. Rivlin that basically I felt that the Board of Education should be placed in a position not only to serve as advisory, but to be given gradual authority back over specific areas as we move through this period of transition. We are still in our lawsuit in some of the areas there, so that is kind of ticklish, but I am hopeful that we can come to some resolution with the elected Board of Education.

Mr. DAVIS. You felt from the lawsuit perspective, constitutionally you had to do it?

Ms. HARVEY. Because of the democratic process, that's correct.

Mr. DAVIS. Nothing personal.

Is there anything else that you want to supplement? Mrs. Ackerman, there have been a couple of things that we have asked for that you are going to coordinate with the GAO on. Otherwise, congratulations on opening school on time this year.

Mrs. ACKERMAN. Thank you.

Mr. DAVIS. We look forward to a successful school year. Hopefully the test scores will continue to improve. I want you to feel comfortable communicating with us in terms of things that we may be able to do legislatively. I think we all have a strong incentive to make this a great school system once again.

Again, without objection, all written statements submitted will be made part of the permanent record. The record remains open for 10 days if anyone wants to supplement. The subcommittee will continue its consideration of this matter and may ask for further written responses from the witnesses.

These proceedings are closed.

[Whereupon, at 2:39 p.m., the subcommittee was adjourned.]

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